CONFERENCE ON DISARMAMENT

CD/875
Appendix I/Volume IV
20 September 1988

Original: ENGLISH

REPORT OF THE CONFERENCE ON DISARMAMENT

APPENDIX I

VOLUME IV

Text of documents issued by the
Conference on Disarmament

GE.88-64543

CONFERENCE ON DISARMAMENT

CD/835
6 July 1988

Original: ENGLISH

LETTER DATED 5 JULY 1988 FROM THE PERMANENT REPRESENTATIVE OF SWEDEN ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE JOINT STATEMENT BY THE NORDIC FOREIGN MINISTERS ON THE TWENTIETH ANNIVERSARY OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, 1 JULY 1988

On the occasion of the twentieth anniversary of the Treaty on the Non-Profiferation of Nuclear Weapons, 1 July 1988, the Foreign Ministers of the five Nordic States, Denmark, Finland, Iceland, Norway and Sweden, made a joint statement, the text of which is annexed to this letter in English. On behalf of the Nordic delegations in Geneva I request that this text be reproduced and distributed as a document of the Conference.

(Signed): Rolf Ekéus
Ambassador
Permanent Representative of Sweden
to the Conference on Disarmament

GE.88-62632/0143p

Joint statement by the Nordic Foreign Ministers on the twentieth anniversary of the Non-Proliferation Treaty 1 July 1988

The Treaty on the Non-Proliferation of Nuclear Weapons was opened for signature 20 years ago today. The five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden were among the first to sign and to ratify the Treaty.

The Nordic Governments consider the Non-Proliferation Treaty a vital instrument to prevent the proliferation of nuclear weapons and to ensure that nuclear energy is only developed for peaceful purposes. In our view, the Treaty remains the most important arms control agreement reached multilaterally so far. The Treaty has made a significant contribution to international stability and security.

The strong commitment of the five Nordic countries to further strengthening the non-proliferation régime is reflected in joint Nordic initiatives and working documents submitted to the United Nations and to the NPT Review Conferences. Universal adherence to the NPT and full compliance with the letter and spirit of its obligations are the best approach to achieving the primary goals of the Treaty: to avert the spread of nuclear weapons, to promote international co-operation in the field of peaceful uses of nuclear energy and to limit and reduce nuclear weapons.

The vast majority of States are already parties to the NPT. Close to 140 States have now ratified and adhered to the Treaty. It is regrettable, however, that some important States have not yet done so. Since its entry into force, no State party to the Treaty has acquired nuclear weapons. In the view of the Nordic Governments, the constantly increasing membership as well as the successful conclusion of the Third Review Conference testify to the great significance of the Treaty and are an encouraging development in efforts to prevent the spread of nuclear weapons.

In celebrating the twentieth anniversary of the Treaty, the Nordic Governments urge all States which have not already done so to accede to the Non-Proliferation Treaty.

CONFERENCE ON DISARMAMENT

CD/836
7 July 1988

ENGLISH
Original: SPANISH

LETTER DATED 7 JULY 1988 FROM THE PERMANENT REPRESENTATIVE OF MEXICO TO THE CONFERENCE ON DISARMAMENT ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT AND TRANSMITTING THE TEXT OF THE STATEMENT BY THE GOVERNMENT OF MEXICO ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have pleasure in enclosing the text of the statement by the Government of Mexico on the occasion of the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons.

Considering this statement to be of interest for our work, I should be most grateful if you would kindly arrange for it to be circulated as an official document of the Conference on Disarmament.

(Signed) Alfonso García Robles
Ambassador
Permanent Representative of Mexico
to the Conference on Disarmament

GE.88-62671/5022G

STATEMENT BY THE GOVERMENT OF MEXICO ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Government of Mexico welcomes the celebration of the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons. During the last two decades, the existence of this important international instrument has helped to create a safer world, promoting the principle that nuclear energy should be used above all for peaceful purposes.

The Treaty on Non-Proliferation (NPT) established the legal framework for preventing the destructive power of the atom from spreading out of control and threatening the very survival of mankind. At the same time, in order to give effect to its provisions, the International Atomic Energy Agency was set up, a body which has kept careful watch on the way different countries have used atomic energy for peaceful purposes. By preventing the proliferation of States possessing nuclear weapons and regulating the peaceful uses of nuclear energy, the NPT has strengthened international peace and security and opened up new development possibilities for all nations.

The Treaty establishes binding obligations of great importance for all States Parties, and in particular those that possess nuclear weapons. Thus the Parties to the Treaty undertake to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. Prominent among these negotiations are those relating to the complete prohibition of nuclear weapon tests, a priority objective of Mexico's disarmament policy.

The Government of Mexico welcomes the progress made in negotiations on nuclear weapons between the United States and the Soviet Union and expresses the hope that it will lead to the adoption of new measures to promote general and complete disarmament, to which they committed themselves under the Non-Proliferation Treaty. At the same time, the Government of Mexico expresses its concern at the possibility of the two Powers concluding an agreement which by legitimizing the carrying out of nuclear tests would depart from the original spirit of the Treaty.

The celebration of the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons is a proper occasion to reiterate that only faithful fulfilment of their obligations by all States Parties will create the necessary conditions to ensure its success and universal application. In the same way, this is an appropriate moment to appeal to States which are not yet Parties to the Treaty to make their contribution to strengthening the nuclear non-proliferation system in the near future.

Mexico City, 1 July 1988

CONFERENCE ON DISARMAMENT

CD/837
7 July 1988

Original: ENGLISH

LETTER DATED 7 JULY 1988 FROM THE LEADER OF THE DELEGATION OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A STATEMENT MADE BY THE SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS, SIR GEOFFREY HOWE, ON THE OCCASION OF THE 20TH ANNIVERSARY OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit herewith the text of a statement made by Sir Geoffrey Howe on the occasion of the 20th anniversary of the Treaty on the Non-Proliferation Nuclear Weapons.

I should be grateful if you would arrange for the distribution of the text of this statement as an official document of the Conference.

(Signed) T.A.H. Solesby

GE.88-62680/5030G

20TH ANNIVERSARY OF THE NON-PROLIFERATION TREATY: STATEMENT BY THE SECRETARY OF STATE FOR FOREIGN AND COMMONWEALTH AFFAIRS, SIR GEOFFREY HOWE, 1 JULY 1988

We celebrate today the 20th anniversary of the Treaty on the Non-Proliferation of Nuclear Weapons. The United Kingdom, one of the Treaty's three depositary powers, is proud to have been closely involved in this Treaty enterprise from the very start.

The Treaty has made an inestimable contribution to peace in the world today by containing the spread of nuclear weapons while at the same time encouraging the peaceful uses of nuclear energy. It is therefore central to the security of each and every one of us. The Treaty is the most widely supported arms control agreement in existence with 136 parties - four-fifths of the total membership of the United Nations. I welcome the recent accession of Spain and Trinidad and Tobago as well as the decision by Saudi Arabia announced earlier this year to accede. On this 20th anniversary, I applaud their example and appeal to all countries who have not yet signed the Non-Proliferation Treaty to do so. It is vital that, at a time when there is significant progress in arms control all governments should play their part in discouraging nuclear proliferation.

CONFERENCE ON DISARMAMENT

CD/838
7 July 1988

ENGLISH
Original: RUSSIAN

LETTER DATED 7 JULY 1988 FROM THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT ENCLOSING THE TEXT OF ANSWERS GIVEN BY MR. N.I. RYZHKOV, CHAIRMAN OF THE COUNCIL OF MINISTERS OF THE USSR, IN REPLY TO QUESTIONS FROM THE TASS CORRESPONDENT, PUBLISHED IN THE NEWSPAPER PRAVDA OF 1 JULY 1988

I have the honour to enclose the text of the answers given by Mr. N.I. Ryzhkov, Chairman of the Council of Ministers of the USSR, in reply to questions from a TASS correspondent, published in the newspaper Pravda of 1 July 1988.

I should be grateful if you would arrange for this text to be circulated as an official document of the Conference on Disarmament.

(Signed) Y. Nazarkin
Ambassador
Representative of the USSR to
the Conference on Disarmament

ANSWERS GIVEN BY MR. N.I. RYZHKOV, CHAIRMAN OF THE COUNCIL OF MINISTERS OF THE USSR, IN REPLY TO QUESTIONS FROM A TASS CORRESPONDENT

Question: On 1 July 1988 we celebrate the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons. The Soviet Government is, of course, one of the depositaries of this Treaty, together with the Governments of the United Kingdom and the United States. What do you see as the basic results of the Treaty over the past twenty years and what is its place in the present system of international relations?

Answer: The Treaty on the Non-Proliferation of Nuclear Weapons was one of the very first international agreements on nuclear arms limitation. It has been an important factor in ensuring international security and strategic stability.

Above all, the conclusion of the Treaty erected a powerful barrier of international law in the way of a very serious potential danger - the acquisition of nuclear weapons by a wide range of States, which would undoubtedly have carried with it a threat of putting excessive strain on the whole structure of international relations and increasing the number of different kinds of crisis situations and incidents, and indeed simply of fatal accidents. Not to mention the fact that the spread of nuclear weapons could be compared to the chain reaction which is the basis for the operation of the weapon itself. And this in circumstances where a large number of countries had reached a level of scientific and technological development enabling them to produce the bomb if they wished.

Mankind recognized that the spread of nuclear weapons was a general threat to everyone and that an adequate collective response had to be found to that threat.

For many countries, this meant weighing on the political scales, with all due seriousness, considerations of national prestige, their strategic interests and ideas and the task of ensuring security.

In his article "Reality and the guarantees of a secure world", Mr. M. S. Gorbachev, General Secretary of the Central Committee of the Communist Party of the Soviet Union, called the Treaty on the Non-Proliferation of Nuclear Weapons "a unique example of a high sense of responsibility on the part of States".

A high sense of responsibility for the fate of our planet was shown both by the nuclear and by the non-nuclear States; the former by binding themselves not to contribute in any way to the spread of nuclear weapons and to pursue negotiations on nuclear disarmament in good faith; the latter by voluntarily renouncing the acquisition of nuclear weapons by any means. The signature of the Treaty containing these commitments was a display of great political realism.

Today the non-proliferation principles established by the Treaty enjoy wide recognition, they have become an integral part of the fundamentals of modern international law. It is no accident that the Treaty on the Non-Proliferation of Nuclear Weapons has the widest range of parties - 136 States - of any international legal instrument in the field of arms limitation.

The history of the Treaty on the Non-Proliferation of Nuclear Weapons confirms its effectiveness. The international régime of non-proliferation of nuclear weapons established on the basis of the Treaty, including a system of safeguards (verification) by the International Atomic Energy Agency, agreements on the principles governing nuclear exports, and the practice that has grown up of bilateral and multilateral consultations between parties to the Treaty, is convincing evidence of the international community's sincere interest in supporting and strengthening its foundation. The Soviet Union makes a weighty contribution to the process of establishing the non-proliferation régime, strictly fulfilling its obligations under the Treaty and vigorously complying with the relevant rules on nuclear exports.

Particular recognition should be given to the role of IAEA, which is entrusted with verification functions under the Treaty and has developed a system of safeguards for effectively and reliably ensuring that nuclear materials are not diverted from peaceful uses to the production of nuclear weapons. This verification is carried out with full respect for States' sovereign rights and without detriment to the development of their peaceful nuclear activities or international co-operation in the field of the peaceful uses of atomic energy.

The wide international recognition of the ideas involved in the non-proliferation of nuclear weapons is reflected in the fact that countries that are not parties to the Treaty itself do not as a rule object to the principles established in it, but in essence conform with them in their policies and commercial and economic activities. It is thus possible to speak of these principles as being universal in their application.

Admittedly, among those who are not parties to the Treaty on the Non-Proliferation of Nuclear Weapons, there are also some States which have no particular scruples about openly displaying their nuclear ambitions. These include above all Israel and South Africa, whose position on the matter undoubtedly complicates the already complicated situations in the Middle East and southern Africa. It is high time the Israeli and South African authorities recognized that their countries' welfare does not lie in a nuclear future and that acceding to the Treaty on the Non-Proliferation of Nuclear Weapons is the only choice dictated by reason and morality, by any feeling of responsibility to their peoples.

Question: How do you now see the future of the Treaty, particularly in connection with the task of freeing the world completely from nuclear weapons?

Answer: The Treaty already symbolizes for most States the reality of a peaceful alternative to the military use of nuclear energy. What we see as the ultimate aim is that this should become the rule for everyone. Incidentally, one of the arguments often put forward against nuclear disarmament is this: once having invented nuclear weapons, mankind will not be able to forget how to make them. That may be true enough, but after all the Treaty has a whole set of machinery to ensure that nuclear technology does not take practical form in the production of weapons. In particular, we consider that there is every reason to use the experience of the IAEA safeguards to develop a system of verification for future nuclear disarmament measures.

The twentieth anniversary of the Treaty comes at a time of highly important events in the life of the international community. New political thinking reflecting the pressing demands and imperatives of today's world has found specific expression in the programme put forward by the Soviet Union for the stage-by-stage elimination of nuclear weapons. Today we are witnessing the first actual results of its practical implementation. I have in mind first and foremost the conclusion of the INF Treaty, substantial progress in the drafting of an agreement on a 50 per cent reduction in the strategic strike weapons of the USA and the USSR, and Soviet-United States talks on the limitation and ultimate prohibition of nuclear tests. Positive changes have become evident in many other spheres of international life. And there is a highly contemporary ring now to the commitment entered into by every party to the Treaty on the Non-Proliferation of Nuclear Weapons to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament under strict and effective international control.

One of the prerequisites for a steady and unceasing process of nuclear disarmament such as is now just beginning is without doubt the preservation and strengthening of the Non-Proliferation Treaty. The Soviet Union will continue to come out firmly in support of the Treaty, which should remain in force until such time as a non-nuclear and non-violent peace becomes a reality on earth. The only thing that can replace it is a comprehensive international treaty on the non-resurrection of nuclear weapons after their complete and final elimination.

CONFERENCE ON DISARMAMENT

CD/839 */
13 July 1988

Original: ENGLISH

LETTER DATED 7 JULY 1988 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A STATEMENT BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, RONALD REAGAN, AND THE TEXT OF A STATEMENT BY THE ASSISTANT TO THE PRESIDENT FOR PRESS RELATIONS, MARLIN FITZWATER, ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, 1 JULY 1988

I have the honour to transmit herewith the text of a statement by the President of the United States, Ronald Reagan, and the text of a statement by the Assistant to the President for Press Relations, Marlin Fitzwater, on the occasion of the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons, 1 July 1988.

I would request that you make arrangements for the texts to be issued as an official document of the Conference on Disarmament.

(Signed) Max L. Friedersdorf
United States Representative
to the Conference on Disarmament

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*/ Re-issued for technical reasons

1 July 1988

PRESIDENTIAL STATEMENT COMMEMORATING THE TWENTIETH ANNIVERSARY OF THE SIGNING OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Non-Proliferation Treaty is one of the international community's most vital instruments for preventing the spread of nuclear weapons and strengthening international peace and stability.

I firmly believe that nuclear war can never be won and must never be fought. If we are to succeed in halting the spread of nuclear weapons, the nations of the world must continue to work together. I call on all countries that have not yet adhered to the Non-Proliferation Treaty to do so to demonstrate their commitment to preventing the spread of nuclear weapons and to strengthening the foundations of peace. I also urge all parties to the Treaty to rededicate themselves to achieving its objective.

1 July 1988

STATEMENT BY MARLIN FITZWATER, ASSISTANT TO THE PRESIDENT FOR PRESS RELATIONS

Twenty years ago today, 61 nations, including the United States, signed the Treaty on the Non-Proliferation of Nuclear Weapons. This Treaty serves as a cornerstone of international efforts to prevent the further spread of nuclear weapons, which is one of the most direct and serious threats to regional and global stability. Nations from around the globe have committed themselves to the treaty and its objectives. Indeed, with 136 parties, the Non-Proliferation Treaty has the widest adherence of any arms control Treaty in history. The important role of the Treaty has been repeatedly reaffirmed. The participants at the Third Non-Proliferation Treaty Review Conference in 1985 concluded that universal adherence to the Treaty is the best way to strengthen the barriers against proliferation. They urged all States not party to the Treaty to accede to it.

The nuclear-weapon States which are parties to the Treaty have agreed not to assist non-nuclear-weapon States to acquire nuclear explosives. The non-nuclear weapon States in turn pledge not to acquire nuclear explosives. These mutual pledges acknowledge that the technology of nuclear weapons and nuclear explosives cannot be distinguished and that their further spread threatens the security of all nations.

The Non-Proliferation Treaty also calls for parties to co-operate in the development of the peaceful uses of nuclear energy, especially in non-nuclear-weapon States which are parties to the Treaty. The peaceful uses of nuclear energy are important to the social and economic well-being of many peoples, and the United States has long been in the forefront of countries providing technical assistance and other co-operation in the nuclear field. We are committed to continuing such co-operation under effective international safeguards. The comprehensive safeguards applied by the International Atomic Energy Agency under the Treaty provide essential assurance of the peaceful intent of the nuclear activities of the States involved, thus benefiting all mankind.

The United States has taken the initiative in negotiations to substantially reduce nuclear arsenals as called for in Article VI of the Non-Proliferation Treaty. The conclusion by the United States and the USSR of the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF), which entered into force on 1 June, is clear evidence of our deep commitment to nuclear arms reductions. This Treaty, which contains the most stringent verification measures of any arms control agreement, will eliminate an entire class of United States and Soviet nuclear missiles. The United States also continues its negotiations with the USSR to complete a treaty to reduce United States and Soviet strategic offensive arms by 50 per cent. We are, in addition, committed to seeking effective and verifiable agreements with the Soviet Union on nuclear testing limitations that could strengthen security for all nations. When discussions of two existing treaties are completed and they are ratified, we are prepared to

pursue negotiations on a step-by-step parallel programme to limit and ultimately end nuclear testing, in association with a programme to reduce and ultimately eliminate all nuclear weapons.

In 1981, the President outlined United States policy to prevent the proliferation of nuclear explosives and declared that this issue was critical to international peace as well as regional and global stability. If we are to succeed in halting the spread of nuclear weapons, however, the nations of the world must work together. Each State has a responsibility to refrain from seeking nuclear weapons and to take all steps necessary to avoid contributing to the spread of nuclear weapons through the export of nuclear equipment and technology.

As the President has stated on a number of occasions, he believes that a nuclear war can never be won and must never be fought. In order to eliminate the threat of nuclear war, we have sought to achieve deep reductions in the level of nuclear weapons worldwide. The INF agreement is a concrete example of our success. However, in order to completely rid the world of the risk of nuclear war, particularly at the time when the United States and the USSR have agreed to reduce their nuclear arsenals, it is equally vital to prevent any further spread of nuclear weapons. The Non-Proliferation Treaty is clearly the most important means we have for accomplishing this goal. The United States played a major role in the negotiations of the Non-Proliferation Treaty, and, over its lifetime, all United States presidents have strongly supported it. On this, the twentieth anniversary of the opening for signature of the Treaty, the President calls upon all countries that have not yet adhered to it to do so in order to demonstrate their commitment to preventing the spread of nuclear weapons and to reducing the risk of nuclear war. Further, he urges all parties to the Treaty to rededicate themselves to achieving its objectives and to ensuring its continued vitality. This is both our shared responsibility and our contribution to peace for this and future generations.

CONFERENCE ON DISARMAMENT

CD/840
14 July 1988

Original: ENGLISH

Programme of Work for the Second Part of the 1988 Session of the Conference on Disarmament

In compliance with Rule 28 of the Rules of Procedure, the Conference on Disarmament adopts the following programme of work for the second part of its 1988 Session:

7-15 July	Statements in plenary meetings. Consideration of the programme of work, as well as of the establishment of subsidiary bodies on items on the agenda and other organizational questions
18-29 July	(Nuclear Test Ban ((Cessation of the nuclear arms race and nuclear (disarmament
1-5 August	Prevention of an arms race in outer space
8-12 August	Prevention of nuclear war, including all related matters
15-19 August	Chemical Weapons
22-26 August	(Effective international arrangements to assure (non-nuclear-weapon States against the use or (threat of use of nuclear weapons ((New types of weapons of mass destruction and new (systems of such weapons; radiological weapons
29 August-2 September	Comprehensive programme of disarmament
5-15 September	Reports of ad hoc subsidiary bodies, consideration and adoption of the Annual Report to the General Assembly of the United Nations

The Conference will continue consideration of its improved and effective functioning.

The Conference will further intensify its consultations in pursuance of paragraphs 16 and 17 of its report (CD/787) with a view to taking a positive decision at its 1988 annual session with regard to expansion of its membership by not more than four States and the need to maintain balance in the membership of the Conference and will inform accordingly the forty-third session of the General Assembly of the United Nations.

Meetings of subsidiary bodies will be convened after consultations between the President of the Conference and the Chairmen of the subsidiary bodies, according to the circumstances and needs of those bodies.

The Ad hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events will meet from 25 July to 5 August 1988.

In adopting its programme of work, the Conference has kept in mind the provisions of Rules 30 and 31 of its Rules of Procedure.

CONFERENCE ON DISARMAMENT

CD/841
15 July 1988

Original: ENGLISH

LETTER DATED 13 JULY 1988 FROM THE PERMANENT REPRESENTATIVE OF THE HUNGARIAN PEOPLE'S REPUBLIC ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE DECLARATION ISSUED BY THE FOREIGN AFFAIRS COMMITTEE OF THE PARLIAMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC ON THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I have the honour to transmit to you the text of the Declaration issued by the Foreign Affairs Committee of the Parliament of the Hungarian People's Republic on the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons.

I would be grateful if you could arrange for the circulation of the Declaration as an official document of the Conference on Disarmament.

(Signed) David Meiszter
Ambassador

GE.88-63089/5194G

DECLARATION BY THE FOREIGN AFFAIRS COMMITTEE OF THE PARLIAMENT OF THE HUNGARIAN PEOPLE'S REPUBLIC ON THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Twenty years ago, on 1 July 1968 the Treaty on the Non-Proliferation of Nuclear Weapons was opened for signature and signed on the very first day by not less than 61 States including the Hungarian People's Republic. During the past two decades the number of States Parties has increased to 136 which has made the Treaty on the Non-Proliferation of Nuclear Weapons an arms control agreement with the widest adherence and contributed to averting the danger of nuclear catastrophes threatening the destruction of the entire world.

The Foreign Affairs Committee is convinced that it is expressing the unanimous view of the Hungarian public opinion by reaffirming - after two decades of its operation - continued commitment of Hungary towards the objectives, obligations and measures set forth in the Treaty. It would have a beneficial effect if all the States which for whatever reason have not yet signed or ratified the Treaty would take that step without delay, which is rightly expected from them by the international community. The reality of the nuclear age is that every country of the world has a share of responsibility to discharge in promoting the cause of peace and security, the reduction of international tension, the limitation of armaments and disarmament.

A special responsibility is placed upon the States possessing nuclear weapons. They are expected by the peoples of the world to set an example and to take the lead in the limitation, reduction and elimination of nuclear weapons. The Foreign Affairs Committee therefore welcomes with profound appreciation the ratification of the agreement concluded by the Union of Soviet Socialist Republics and the United States of America on the elimination of the medium and shorter range missiles as well as the beginning of its implementation. It attaches also great importance to the efforts of the two States aimed at reaching an agreement on the 50 per cent reduction of their strategic offensive armaments. The agreements that may lead to a large-scale reduction in the number and yield of the test explosions by the two States can be welcomed as important intermediate steps on the way to halting the nuclear arms race.

The Treaty on the Non-Proliferation of Nuclear Weapons lays emphasis on the promotion of research and use for peaceful purposes of the nuclear energy and on the international co-operation in this field. The Hungarian People's Republic is particularly interested that various forms of such co-operation should develop unhindered.

In this connection the Foreign Affairs Committee attaches paramount importance to the activity of the International Atomic Energy Agency whose task is to verify compliance with the Treaty, to prevent the misuse of nuclear materials, and to provide for the international co-ordination of measures relating to the peaceful uses of nuclear energy.

The security of peaceful applications would be greatly enhanced by the early conclusion of an international agreement on the prohibition of any attack against nuclear power stations and other nuclear facilities. The Foreign Affairs Committee wishes to stress that the Conference on Disarmament is an appropriate forum for bringing the negotiations to a successful end, which in its turn requires constructive efforts and readiness to come to an agreement from all the participants of the negotiations.

CONFERENCE ON DISARMAMENT

CD/842
22 July 1988

ENGLISH
Original: RUSSIAN

LETTER DATED 22 JULY 1988 FROM THE PERMANENT REPRESENTATIVE OF THE POLISH PEOPLE'S REPUBLIC ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT, TRANSMITTING THE TEXTS OF THE COMMUNIQUE OF THE MEETING OF THE POLITICAL CONSULTATIVE COMMITTEE OF THE STATES PARTIES TO THE WARSAW TREATY, THE STATEMENT BY THE STATES PARTIES TO THE WARSAW TREATY ON NEGOTIATIONS ON REDUCTIONS IN ARMED FORCES AND CONVENTIONAL ARMS IN EUROPE AND THE IMPLICATIONS OF THE ARMS RACE FOR THE ENVIRONMENT AND OTHER ASPECTS OF ECOLOGICAL SECURITY, ADOPTED AT THE MEETING OF THE POLITICAL CONSULTATIVE COMMITTEE OF THE WARSAW TREATY ORGANIZATION, HELD IN WARSAW ON 15 AND 16 JULY 1988

I have the honour to transmit herewith the following texts:

- Communiqué of the Meeting of the Political Consultative Committee of the States Parties to the Warsaw Treaty,

- Statement by the States Parties to the Warsaw Treaty on Negotiations on Reductions in Armed Forces and Conventional Arms in Europe,

- Implications of the Arms Race for the Environment and Other Aspects of Ecological Security,

adopted at the Meeting of the Political Consultative Committee of the Warsaw Treaty Organization, held in Warsaw on 15 and 16 July 1988.

I should like to request you to have the texts of this letter and of the enclosed documents circulated as an official document of the Conference on Disarmament.

(Signed) Bogumil SUJKA
Ambassador

COMMUNIQUE

of the Meeting of the Political Consultative Committee
of the States Parties to the Warsaw Treaty

The Political Consultative Committee of the States Parties to the Warsaw Treaty of Friendship, Co-operation and Mutual Assistance held a meeting in Warsaw on 15-16 July 1988.

The participants were:

On behalf of the People's Republic of Bulgaria:

Todor Zhivkov, General Secretary of the Central Committee of the Bulgarian Communist Party (BCP), President of the State Council of the People's Republic of Bulgaria (PRB), head of the delegation; Georgi Atanasov, member of the Political Bureau of the BCP Central Committee, Chairman of the Council of Ministers of Bulgaria; Dobri Dzhurov, member of the Political Bureau of the BCP Central Committee, Minister of National Defence of Bulgaria; Petur Mladenov, member of the Political Bureau of the BCP Central Committee, Minister for Foreign Affairs of Bulgaria; Dimitir Stanishev, Secretary of the BCP Central Committee.

On behalf of the Czechoslovak Socialist Republic:

Miloš Jakeš, General Secretary of the Central Committee of the Communist Party of Czechoslovakia (CPC), head of the delegation; Gustáv Husák, member of the Presidium of the CPC Central Committee, President of the Czechoslovak Socialist Republic; Lubomír Strougal, member of the Presidium of the CPC Central Committee, Chairman of the Council of Ministers of Czechoslovakia; Vasil Bilak, member of the Presidium and Secretary of the CPC Central Committee; Bohuslav Chňoupek, member of the CPC Central Committee, Minister for Foreign Affairs of Czechoslovakia; Milan Václavik, member of the CPC Central Committee, Minister of National Defence of Czechoslovakia.

On behalf of the German Democratic Republic:

Erich Honecker, General Secretary of the Central Committee of the Socialist Unity Party of Germany (SUPG), Chairman of the Council of State of the German Democratic Republic, head of the delegation; Willi Stoph, member of the Political Bureau of the SUPG Central Committee, Chairman of the Council of Ministers of the German Democratic Republic; Hermann Axen, member of the Political Bureau and Secretary of the SUPG Central Committee; Heinz Kessler, member of the Political Bureau of the SUPG Central Committee, Minister of National Defence of the German Democratic Republic; Egon Krenz, member of the Political Bureau and Secretary of the SUPG Central Committee, Deputy Chairman of the Council of State of the German Democratic Republic; Gunter Mittag, member of the Political Bureau and Secretary of the SUPG Central Committee, Deputy Chairman of the Council of State of the German Democratic Republic; Oskar Fischer, member of the SUPG Central Committee, Minister for Foreign Affairs of the German Democratic Republic.

On behalf of the Hungarian People's Republic:

Károly Grósz, General Secretary of the Hungarian Socialist Workers' Party (HSWP), Chairman of the Council of Ministers of the Hungarian People's Republic, head of the delegation; Mátyás Szürös, Secretary of the HSWP Central Committee; Péter Várkonyi, member of the HSWP Central Committee, Minister for Foreign Affairs of Hungary; Ferenc Karpati, member of the HSWP Central Committee, Minister of National Defence of Hungary.

On behalf of the Polish People's Republic:

Wojciech Jaruzelski, First Secretary of the Central Committee of the Polish United Workers' Party (PUWP), Chairman of the Council of State of the Polish People's Republic (PPR), head of the delegation; Zbigniew Messner, member of the Political Bureau of the PUWP Central Committee, Chairman of the Council of Ministers of Poland; Józef Czyrek, member of the Political Bureau and Secretary of the PUWP Central Committee; Florian Siwicki, member of the Political Bureau of the PUWP Central Committee, Minister of National Defence of Poland; Bogusław Kołodziejczak, member of the Secretariat of the PUWP Central Committee, head of the Chancellery of the PUWP Central Committee Secretariat; Tadeusz Olechowski, Minister for Foreign Affairs of Poland.

On behalf of the Socialist Republic of Romania:

Nicolae Ceausescu, General Secretary of the Romanian Communist Party (RCP), President of the Socialist Republic of Romania, head of the delegation; Constantin Dascalescu, member of the Executive Political Committee of the RCP Central Committee, Prime Minister of the Government of Romania; Ion Stoian, alternate member of the Executive Political Committee, Secretary of the RCP Central Committee; Vasile Milea, alternate member of the Executive Political Committee of the RCP Central Committee, Minister of National Defence of Romania; Ioan Totu, alternate member of the Executive Political Committee of the RCP Central Committee, Minister for Foreign Affairs of Romania; Ion Tesu, Ambassador Extraordinary and Plenipotentiary of Romania to Poland.

On behalf of the Union of Soviet Socialist Republics:

Mikhail Gorbachev, General Secretary of the Central Committee of the Communist Party of the Soviet Union (CPSU), head of the delegation; Andrei Gromyko, member of the Political Bureau of the CPSU Central Committee, President of the Presidium of the Supreme Soviet of the USSR; Nikolai Ryzhkov, member of the Political Bureau of the CPSU Central Committee, Chairman of the Council of Ministers of the USSR; Eduard Shevardnadze, member of the Political Bureau of the CPSU Central Committee, Minister for Foreign Affairs of the USSR; Dmitri Yazov, candidate member of the Political Bureau of the CPSU Central Committee, Minister of Defence of the USSR; Vadim Medvedev, Secretary of the CPSU Central Committee.

The meeting was also attended by Marshal of the Soviet Union Viktor Kulikov, Commander-in-Chief of the Joint Armed Forces of the States Parties to the Warsaw Treaty and by Henryk Jaroszek, General Secretary of the Political Consultative Committee, Deputy Minister for Foreign Affairs of the Polish People's Republic.

1. The participants in the meeting noted the existence of certain favourable trends in international life as a result of efforts made by the socialist countries by peoples and by the international community at large and of the realism displayed in various State and political quarters. This is manifested in diminishing confrontation, increased contacts between the States of East and West and the creation of more favourable conditions for curbing the arms race, reducing military expenditure and settling regional conflicts.

Nevertheless, no fundamental breakthrough has occurred. The situation in the world remains complex and contradictory. Enormous stockpiles of nuclear weapons still exist, nuclear testing continues and new kinds of weapons are being manufactured. The danger of the annihilation of mankind and of life itself on our planet has not been eliminated.

The States represented at the meeting will continue to do everything possible to promote the favourable processes in the international arena and make them irreversible. They appeal to all countries to unite and intensify efforts aimed at strengthening peace and security, bringing about disarmament and establishing an atmosphere conducive to broad dialogue and democratization of international life.

2. The common view was expressed that the key issue today is to prevent war, halt the arms race and embark resolutely upon the process of disarmament, especially nuclear disarmament.

The States represented at the meeting reaffirm their commitment to the ideals of a world free from weapons of mass destruction and violence, based on the principles of mutual and equal security, democratic co-existence and broad co-operation on an equal footing. They believe that all States should be involved in tackling the major problems of our time. In relations between States, they endeavour to act in such a way as to meet as far as possible the needs and aspirations of the world community and contribute to the free and independent development of all countries and peoples.

3. The participants in the meeting exchanged information and views on internal developments and changes in their respective countries. They reaffirmed the need to adopt a creative approach to the theory and practice of building socialism, to take account of changes occurring in the world, and to put to good use the best achievements of other nations. The meeting noted the role of the socialist countries in international development and the importance of the contribution made by each of them to the general cause of progress and the strengthening of peace, security and co-operation. The participants in the meeting base themselves on the principle that the world is indivisible and interdependent and that the priority of general human values needs to be reaffirmed in relations between all States.

4. The States Parties to the Warsaw Treaty welcome the entry into force of the Soviet-United States Treaty on the Elimination of Intermediate-range and Shorter-range Missiles. They see this Treaty as an important first step towards real disarmament, which should be followed by other agreements in this field, particularly on a substantial reduction in nuclear weapons and their eventual complete elimination.

In this connection, the participants in the meeting note with concern activities which may hinder and complicate the process of disarmament. They see such a threat particularly in plans to "compensate" for the intermediate- and shorter-range missiles now being scrapped by means of the buildup and extensive modernization of other kinds of weapons, which if carried into effect might mean a further escalation of the arms race.

5. The States Parties to the Warsaw Treaty underlined the importance of constructive dialogue between the socialist and other countries, of summit and high-level meetings and visits, and of agreements which serve the cause of mutual understanding and peace. The participants in the meeting welcomed the development of the Soviet-United States dialogue and reaffirmed their respective States' support for the efforts made by the Soviet Union and their determination to do everything possible to ensure that summit talks lead to significant new agreements in the field of disarmament and to further practical measures aimed at strengthening international peace and security.

The States represented at the meeting declare that each of them will continue to develop contacts and co-operation with other States in order to improve the international situation and strengthen peace in Europe and world wide.

Considering that disarmament is the concern of mankind as a whole, the need for all interested States to take part in disarmament negotiations was emphasized. It was noted that present conditions call for the development of new thinking and a new approach to matters of war and peace for the purpose of ensuring lasting international security and the right of nations to life and to a free, independent and dignified existence.

6. The States parties to the Warsaw Treaty renew their appeal to the NATO States, the States participating in the CSCE and the international community as a whole to step up efforts aimed at the earliest possible conclusion of major agreements on reductions in arms and armed forces and on stronger security and stability, and to refrain from any actions which may impede progress in this direction.

They single out the following priority objectives in the field of disarmament:

To conclude a treaty for a 50 per cent reduction in Soviet and United States strategic offensive weapons, in strict compliance with the ABM Treaty in its 1972 form and with no withdrawal from it within the time agreed;

To effect a complete and universal ban on nuclear weapon testing and, as steps towards that goal, to conclude agreements on effective verification measures, so as to facilitate the earliest possible ratification of the 1974 and 1976 treaties between the USSR and the United States, and to conclude agreements on further reducing the yield and number of nuclear explosions conducted by the USSR and the United States;

To conclude a convention on the complete prohibition of chemical weapons and the destruction of stockpiles of such weapons;

To reduce armed forces and conventional armaments in Europe and cut military spending accordingly.

The resources released in the process of disarmament should be redirected to meet the needs of economic and social development.

7. The participants in the meeting note that work in Vienna on the terms of reference for negotiations on reductions in armed forces and conventional arms in Europe is in its final phase and that prospects are opening up for the Conference on Confidence- and Security-Building Measures and Disarmament in Europe to resume.

They pointed out the relevance of the proposal made by their respective States to the NATO countries regarding the exchange of data on armed forces and conventional weapons in Europe. To enable future negotiations to proceed rapidly and productively, such an exchange of data could be carried out at the start of the negotiations, or if possible even before they start, with provision for the data submitted to be verified by on-site inspections at the time the negotiations begin.

The allied socialist States reaffirm their determination to seek the earliest possible conclusion of an agreement which would lead to the elimination of the existing asymmetries and imbalances, both at the general European level and in particular regions, as well as to a substantial reduction of armed forces and conventional arms in Europe, and would exclude the possibility of surprise attacks or offensive operations.

They are in favour of the promotion and expansion of the confidence-building and security measures already in effect, together with the development of a new generation of measures, including the limitation of military activities in Europe and the extension of those measures to cover independent activities by air and sea forces.

The meeting adopted a document concerning negotiations on the reduction of armed forces and conventional arms in Europe.

Efforts designed to enhance stability on the European continent should be supplemented by measures to reduce military activities in the seas and oceans surrounding Europe, to lessen military confrontation in northern Europe and the Arctic, and to make the Mediterranean a zone of peace and co-operation.

The participants in the meeting renew their proposal that representatives of the States parties to the Warsaw Treaty and those belonging to NATO should compare their respective military doctrines from the military and technical aspects, so as to ensure that the military doctrines and thinking of the two military alliances and their participants have a strictly defensive character.

The States represented at the meeting recall their proposals to start direct negotiations between the States parties to the Warsaw Treaty and the NATO countries on the freezing and reduction of military spending and to declare, on a reciprocal basis, a one- or two-year moratorium on increases in military expenditure.

8. The allied socialist States believe that stability would be increased and the threat of war on the continent reduced by starting separate negotiations shortly on the reduction and subsequently on the elimination of tactical nuclear weapons in Europe, including the nuclear components of dual-capability weapons.

9. The States parties to the Warsaw Treaty take the view that the process of confidence-building, security and disarmament in Europe should also serve to resolve the specific security problems in particular regions. In this context, they reaffirm the great importance of implementing their joint and individual proposals concerning Central and Northern Europe, the Balkans and the zone along the dividing line between the two alliances on the continent.

10. The States represented at the meeting note that while the third special session of the General Assembly devoted to disarmament failed to adopt a final document, it showed that the majority of States were in favour of decisive measures to curb the arms race and achieve disarmament in all fields, especially in the nuclear field, and of new approaches to disarmament issues. It is important that the many constructive proposals made during the session should be used in disarmament negotiations. The participants in the meeting advocate intensified efforts by all States to make the process of such negotiations more effective, streamline their machinery and give the United Nations a greater role in this matter.

11. The States represented at the meeting are guided by the idea of building together an indivisible Europe of peace and co-operation, a "common European home", in which an atmosphere of good-neighbourliness and trust would prevail. This process is founded on the provisions of the Helsinki Final Act and the Concluding Document of the Madrid Meeting of the CSCE participating States, strict compliance with which serves to promote greater mutual understanding and constructive co-operation between European States. That is also facilitated by the establishment of official relations between the Council for Mutual Economic Assistance and the European Economic Community.

The meeting reaffirmed the unchanging position of the States parties to the Warsaw Treaty in favour of simultaneous dissolution of the two military alliances.

The States represented at the meeting emphasized that the condition for continued lasting peace and security in Europe is the inviolability of borders and respect for the existing politico-territorial realities, sovereignty and the territorial integrity of States, as well as other commonly recognized principles and rules governing relations between States. Attempts to challenge those realities and their inviolability are contrary to the interests of détente and security and to the treaties and agreements concluded in the 1970s and the Helsinki Final Act. Any such attempts will be firmly resisted.

12. The participants in the meeting advocated the earliest possible conclusion of the CSCE Meeting in Vienna with the adoption of a substantive and balanced document. The Vienna agreements should serve to strengthen the principles governing relations between the CSCE States, to give greater momentum to the process of confidence-building and disarmament, and to develop broad co-operation in all fields. The States represented at the meeting call on all participants in the Vienna meeting, in its final phase, to display the necessary political commitment and make every possible concrete effort to settle the outstanding issues. For their part, they will act in precisely that way. They are in favour of concluding the meeting at the foreign-minister level.

13. The allied socialist States reiterate their commitment to help shape a comprehensive system of international peace and security on the basis of strict compliance with the United Nations Charter and implementation of the possibilities contained therein, and in developing to this end, confidence-building measures and arrangements for promoting international co-operation in all spheres - political, military, economic, humanitarian and ecological.

The participants in the meeting urged that the forty-third session of the General Assembly should intensify the search for a common approach by States to specific aspects of comprehensive security, such as increasing the effectiveness of the United Nations and its main bodies and the role of the Secretary-General, particularly in the settlement of conflicts between States by means of negotiations, use of good offices, mediation or conciliation, and wider use of the institution of military observers and United Nations peace-keeping forces and affirming the primacy of international law in relations between States.

The meeting noted the importance of the contribution made by non-governmental organizations, movements of scientists, doctors, persons active in the cultural sphere and representatives of broad circles of the international community to the adoption of concrete measures aimed at halting the arms race, embarking firmly on the process of disarmament, especially nuclear disarmament, putting the idea of comprehensive security into practice in the work of the United Nations and its Members and ensuring peace and co-operation.

The States represented at the meeting reiterated the need for all countries to comply strictly with the principles of national independence and sovereignty, non-use of force or the threat of force, inviolability of frontiers and territorial integrity, peaceful settlement of disputes, non-interference in internal affairs, equal rights and the other purposes and principles of the United Nations Charter, the Helsinki Final Act and other generally recognized provisions governing international relations.

14. The meeting exchanged views on ecological security issues. It expressed the conviction that the protection and improvement of the state of the environment and rational use of natural resources are closely related to international security in all its aspects, to halting the arms race and to disarmament, especially nuclear disarmament. The problem of ecological security is particularly acute in densely populated Europe, oversaturated with arms and with harmful and dangerous production facilities. The States represented at the meeting declared their readiness to participate actively in the resolution of ecological problems, on both a multilateral and a bilateral basis, to ensure the survival and steady development of mankind.

A document was adopted on the consequences of the arms race for the environment and on other aspects of ecological security.

15. The leaders of the States represented at the meeting express the conviction that, in the present situation, particular importance attaches to the observance and implementation of human rights and to the development of international co-operation in the humanitarian field. They believe that everything possible must be done to safeguard the right of man to live and

work in conditions of peace and freedom and to ensure full implementation of political, civil, economic, social and other rights in their entirety and interrelationship, together with respect for the sovereignty of States and non-interference in their internal affairs.

16. The leaders of the States parties to the Warsaw Treaty exchanged views on the existing situations causing tension and conflict in the world. They reiterated the commitment of their States to contribute actively to the political settlement of such problems, taking into account the legitimate interests of the parties concerned and at the same time respecting the right of every nation to determine its own destiny.

The participants in the meeting welcome the process of political settlement which has begun in Afghanistan. The States represented at the meeting believe that it is necessary to put an end to any outside interference in the internal affairs of Afghanistan and to bring about a complete settlement of the Afghan question on the basis of respect for the independence and sovereignty of the Republic of Afghanistan, non-interference in its internal affairs and promotion of the country's democratic and free development.

17. The participants in the meeting welcome the increasingly positive role of the non-aligned movement in solving key issues of international politics.

The participants in the meeting advocated intensified efforts to overcome underdevelopment, establish a new international economic order and provide a fair solution to the international debt problem, thus promoting stability of the world economy and co-operation.

18. The meeting held a thorough exchange of views on the development of co-operation between the allied socialist States. The work of the Foreign and Defence Ministerial Committees since the Berlin meeting of the Political Consultative Committee was welcomed and further tasks were laid down for the two bodies.

The meeting expressed satisfaction with the work of the Multilateral Group for Current Mutual Information and the Special Commission for Disarmament, and noted the need to add further to the content and form of their work.

The participants in the meeting declared themselves in favour of giving greater momentum to co-operation in foreign policy on a basis of equality, close interaction and mutual responsibility and further improving the machinery for such co-operation and making the activities agreed upon more effective.

The Political Consultative Committee examined a report by the Commander-in-Chief of the Joint Armed Forces of the States parties to the Warsaw Treaty concerning the work done by the Command and adopted a decision on the matter.

19. The meeting was held in an atmosphere of friendship and co-operation.

As host country, the Polish People's Republic will arrange for the distribution of the documents of the meeting to other States and international organizations.

The next meeting of the Political Consultative Committee of the States parties to the Warsaw Treaty will be held in Bucharest. A representative of the Socialist Republic of Romania, Constantin Oancea, Deputy Minister for Foreign Affairs, was appointed General Secretary of the Political Consultative Committee for the new period.

Statement by the States Parties to the Warsaw Treaty on Negotiations on Reductions in Armed Forces and Conventional Arms in Europe

The States parties to the Warsaw Treaty believe that the interests of European and global security make it urgently necessary to move towards a major reduction of armed forces and conventional armaments in Europe - from the Atlantic to the Urals. They are in favour of starting negotiations on this matter immediately, in 1988.

It is the conviction of the allied States that the priority objective of these negotiations is to radically reduce the military capacity of the two alliances and to bring the continent to a situation in which the NATO and Warsaw Treaty States would retain the forces and resources necessary for defence but not enough to launch a surprise attack and conduct offensive operations. That would strengthen politico-military stability and security in Europe under the conditions created by the Soviet-United States treaty on the Elimination of Their Intermediate-range and Shorter-range Missiles, and would facilitate further progress in the direction of disarmament, confidence-building and reducing the threat of war.

The States parties to the Warsaw Treaty proceed from the assumption that the reduction in armed forces and conventional armaments would be accompanied by a corresponding reduction in military spending.

On the basis of the joint programme of reductions in armed forces and conventional arms in Europe they put forward in Budapest in June 1986 and supplemented in Berlin in May 1987 the States parties to the Warsaw Treaty would propose that the following issues should be dealt with in the course of the first stage of the negotiations.

1. Achievement of equal reduced levels

The final objective in the first phase of the negotiations should be to produce more or less equal (balanced) overall levels of numerical strength of the armed forces and amounts of conventional arms possessed by the States making up the two politico-military alliances. These levels would be lower than those currently held by either side.

The process of reaching such levels would be implemented stage by stage, both at the general European level and at the regional level. In the first place, it would be advisable to focus attention on questions relating to the reciprocal elimination of the asymmetries and imbalances in the different kinds of conventional weapons and armed forces of the two politico-military alliances in Europe.

The imbalances would be removed by the withdrawal of forces from the area under reduction and their subsequent disbandment, or their disbandment on the spot, and also by other possible measures. The arms and equipment subject to reduction would be scrapped at specially designated sites or - under agreed arrangements - turned over to peaceful uses. There might be provision for temporary storage of part of the arms and equipment. The storage premises would be kept under constant international control.

The attainment of the final objective of the first stage would create the basis for further major mutual force and arms reductions. In the second phase, the armed forces of each side would be cut by about 25 per cent (approximately 500,000 men) along with their authorized equipment; the third phase would see further reductions in armed forces and conventional arms giving the armed forces of the two alliances a strictly defensive character.

The States parties to the Warsaw Treaty consider it advisable for all participants in the negotiations to refrain from taking steps conflicting with the objective of the negotiations from the time they start until the ensuing agreements come into force, and in particular to refrain from building up their armed forces and conventional arms between the Atlantic and the Urals.

When the agreement comes into force, all participants in the negotiations would pledge not to build up their armed forces and conventional arms in areas which might not be covered by the initial reductions.

2. Prevention of a surprise attack

An essential element in the process of reducing armed forces and conventional arms in Europe would be measures to reduce and eliminate the threat of a surprise attack.

To this end, starting from the first phase, strips (zones) with reduced levels of armaments would be established along the line dividing the two politico-military alliances, from which the most threatening and destabilizing kinds of conventional weapons would be wholly or partly withdrawn. As a result, the strips (zones) would only retain such a level of military capability as would suffice for defence and preclude a surprise attack.

The width of the strips (zones) with reduced levels of armaments could be established on the basis of geostrategic factors, the tactical and technical parameters of the basic kinds of weapons and other criteria.

These steps would be accompanied by agreed confidence-building measures which would limit military activity inside the strips (zones), imposing correspondingly more stringent restrictions the closer to the border. The measures would, inter alia, apply to the scale and number of exercises held at the same time and to the duration and frequency of exercises; they would ban large-scale exercises and limit troop movements.

3. Exchange of information and verification

With a view to determining the balance of power between the two politico-military alliances and identifying imbalances and asymmetries in armed forces and conventional arms at both the general European and the regional level, at the start of the negotiations, and if possible even before they start, the corresponding data necessary for the conduct of the negotiations would be exchanged. Provision would also be made for the possibility of verifying the data by on-site inspections as the negotiations begin.

An effective system of verification of compliance with the arrangements agreed upon in the course of the negotiations would be envisaged, using national technical resources and international procedures, including veto-free on-site inspections. Entry and exit checkpoints would be established both along and inside the strips (zones) with reduced levels of armaments and in the reduction area (at railway stations and junctions, airfields and ports).

The verification would cover the process of reduction, scrapping (disassembly) and storage of weapons, disbandment of formations and lower-level units, as well as troop activities and the observance of numerical ceilings on armed forces and armaments remaining after the reduction was completed.

An international control commission vested with broad powers (observation, inspection, settlement of disputes, etc.) would be established.

* * *

The States parties to the Warsaw Treaty are of the opinion that an important measure to reduce the threat of war and create a more stable situation in Europe would be major reductions in and subsequently the elimination of tactical nuclear weapons, including warheads for dual-capability weapons. They reiterate their offer to start negotiations on the subject in the very near future and to conduct them with the aim of concluding a mutually acceptable agreement.

The States parties to the Warsaw Treaty take the view that the process of reducing armed forces and conventional arms from the Atlantic to the Urals is closely interrelated with the further development and expansion of confidence-building measures and security in Europe within the framework of the CSCE. They are of the opinion that the second stage of the Conference on Confidence- and Security-Building Measures and Disarmament in Europe should continue with the consideration of issues unresolved in the course of the first stage of that Conference, above all those pertaining to confidence-building measures covering the activities of air and sea forces, and that it should agree on a new generation of confidence-building measures, including ones of a restrictive character. All these measures would help to reduce the threat of a surprise attack and promote greater openness, transparency and predictability in the military field.

The States parties to the Warsaw Treaty would be prepared to discuss also other possible measures and proposals leading to greater stability in Europe at an ever lower level of armed forces and armaments, subject to observance of the principles of equality and equal security and effective verification of compliance with the agreements concluded.

Implications of the Arms Race for the Environment and Other Aspects of Ecological Security

The States parties to the Warsaw Treaty note with deep concern the constant degradation of the environment. The biological balance is being upset to a degree which may have unpredictable consequences, undermining the material basis for mankind's social and economic development and threatening its very existence.

Being deeply convinced that the arms race, and above all the nuclear arms race, constitutes one of the most dangerous causes of environmental deterioration, the States parties to the Warsaw Treaty are of the opinion that the solution of ecological problems is closely bound up with the strengthening of peace and international security and with disarmament.

The main aim in the struggle to preserve the environment has been and remains the prevention of nuclear war, which would inevitably result in a total ecological disaster. Any armed conflict does serious harm to the environment. It is constantly and increasingly damaged by the arms race, which conflicts with efforts to protect nature and hinders fulfilment of the noble task of establishing on Earth a harmonious equilibrium between society, technology and nature.

The production, storage and transport of different kinds of weapons, the construction of military installations and the holding of military exercises have a directly adverse impact on the environment.

The States parties to the Warsaw Treaty draw particular attention to the threat posed to the environment and indeed to life on our planet by stockpiles of nuclear weapons, which carry with them the danger of global annihilation, whether as a result of deliberate use, human error or accident. Continued nuclear testing, huge reserves of chemical weapons and their continued manufacture, development of weapon systems operating on new principles - all this may have unforeseen and fatal ecological effects. Extending the arms race into outer space would jeopardize the chances of using space rationally for peaceful purposes. The squandering of non-renewable resources for military ends lays a heavy burden on the natural life of the Earth. Any attempt to influence nature for military or other hostile purposes would be made at great cost to the environment.

Welcoming the positive tendencies which have emerged recently in international relations, the States parties to the Warsaw Treaty consider that putting a halt to the arms race and introducing effective disarmament measures will help to strengthen peace and security as the prime condition for the development of international co-operation in the most varied fields, including efforts to preserve the environment and improve its quality. That would be facilitated if their joint and individual initiatives in the field of disarmament, confidence-building measures and security were brought to fruition.

It is necessary to take advantage of the progress that is beginning to be made in disarmament to step up efforts to protect the environment. Any measures in the field of disarmament should be accompanied by specific action to protect nature. Disarmament would release enormous financial, natural and human resources for improving the ecological situation at both the regional and the global level.

Growing concern is aroused by the deterioration in the state of the environment as a result of man's peaceful activities. Economic activities pursued without regard for ecological factors cause pollution of the sea and the atmosphere, transboundary pollution, degradation of the soil, desertification and deforestation, climatic changes, extinction of entire biological species, accumulation of harmful substances in the biosphere and many other adverse natural phenomena which destroy man's habitat.

The continuing threat of a nucelar catastrophe, more and more frequent ecological disasters and events which upset the balance of nature confirm the growing ecological interdependence of all States in the world. Life itself demands that the international community should combine its efforts in order to deal effectively with environmental problems on a joint basis.

The way out of the present situation is to develop and consistently apply a policy for international ecological security based on the broadest and most open international co-operation. International ecological security, the aim of which is to facilitate steady and secure development by all States and provide every nation and individual with favourable living conditions, presupposes a state of international relations which guarantees the preservation, rational use, reproduction and improvement of the environment.

To this end, the States parties to the Warsaw Treaty are in favour of making creative use of what the international community has so far achieved in the field of environmental protection and building upon these achievements. They highly appreciate the activities of the United Nations, especially those of its specialized agency, the United Nations Environment Programme, as well as the work of the World Commission on Environment and Development, which has proposed that ecological issues should be discussed not in isolation, but in relation to the issues of war and peace, disarmament and development, elimination of underdevelopment and poverty, and the need to ensure a dignified, healthy and safe life on Earth.

To ensure international ecological security entails adopting binding principles and rules of conduct for States and laying down guidelines for international co-operation in the field of ecology. These principles, rules and guidelines have to be worked out jointly in a broad-based and constructive international dialogue.

The corresponding international legal instrument might be adopted in 1992, on the 20th anniversary of the United Nations Conference on the Human Environment. The States parties to the Warsaw Treaty are prepared to start work on a draft immediately.

Being situated in Europe, which suffers particularly acutely from the effects of activities harmful to the environment the States parties to the Warsaw Treaty consider it vitally important to adopt immediate measures which would make the European continent a model of ecological co-operation. Concern for the ecological balance, human health and clean air and water would become a common cause shared by all European countries and would take its due place within the general European process. This would most fully meet the idea of a single Europe of peace and co-operation, the "common European home". In this connection, the States parties to the Warsaw Treaty see as particularly timely proposals aimed at protecting the environment in Europe and its different regions. They are in favour of the broadest possible exchange of information

on ecological matters, unlimited mutual access to advanced environmental technologies, and the establishment of a system requiring States to render strict account of their environmental efforts and of ecological accidents that have taken place or been prevented in their respective territories. To give greater momentum to the expansion and intensification of ecological co-operation, it is proposed that an all-European conference of ministers for the environment should be convened to work out a programme of joint action.

The States parties to the Warsaw Treaty declare that they are determined to work actively to overcome the urgent problems of preserving the environment and protecting it against war and the consequences of the arms race. They urge all States and peoples of the world to unite their efforts in order to preserve and restore the environment, for the sake of our present and our future. Mankind, with its enormous constructive and creative powers, is capable of halting the process of environmental degradation. Multilateral and bilateral international co-operation in protecting nature - the source and preserver of life - is a duty all States owe to present and future generations.

CONFERENCE ON DISARMAMENT

CD/843
25 July 1988

Original: ENGLISH

LETTER DATED 21 JULY 1988 ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT FROM THE CHARGE D'AFFAIRES A.I. OF FINLAND TRANSMITTING A DOCUMENT ENTITLED "STANDARD OPERATING PROCEDURES FOR THE VERIFICATION OF CHEMICAL DISARMAMENT; D.1 A PROPOSAL FOR PROCEDURES SUPPORTING THE REFERENCE DATABASE" 1/

I have the honour to transmit to you a document entitled "Standard Operating Procedures for the Verification of Chemical Disarmament; D.1 A Proposal for Procedures Supporting the Reference Database". This report represents a further contribution by Finland to the work of the Conference on Disarmament in the field of chemical weapons.

I would appreciate it if the report were to be circulated as an official document of the Conference on Disarmament.

(Signed): Pekka Huhtaniemi
Chargé d'Affaires a.i.
Permanent Mission of Finland

1/ A limited distribution of this document in English only has been made to the members of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Finland at Geneva.

CD/844 */
29 July 1988

ENGLISH
Original: RUSSIAN

CONFERENCE ON DISARMAMENT

LETTER DATED 25 JULY 1988 FROM THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A DOCUMENT ENTITLED "JOINT STATEMENT AT THE MOSCOW SUMMIT", DATED 1 JUNE 1988, WHICH WAS ISSUED FOLLOWING THE MEETING BETWEEN M.S. GORBACHEV, GENERAL SECRETARY OF THE CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF THE SOVIET UNION, AND R. REAGAN, PRESIDENT OF THE UNITED STATES OF AMERICA, HELD IN MOSCOW FROM 29 MAY TO 2 JUNE 1988 **/

I have the honour to transmit a document entitled "Joint Statement at the Moscow Summit", dated 1 June 1988, which was issued following the meeting between M.S. Gorbachev, General Secretary of the Central Committee of the Communist Party of the Soviet Union, and R. Reagan, President of the United States of America, held in Moscow from 29 May to 2 June 1988.

I would request that you make arrangements for this Statement to be issued as an official document of the Conference on Disarmament.

(Signed) Y. Nazarkin
Ambassador
Representative of the USSR
to the Conference on Disarmament

*/ Re-issued for technical reasons.

**/ The English text of the Joint Soviet-United States Statement is to be found in CD/846.

CONFERENCE ON DISARMAMENT

CD/845
25 July 1988

ENGLISH
Original: RUSSIAN

LETTER DATED 25 JULY 1988 FROM THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE AGREEMENT BETWEEN THE UNION OF SOVIET SOCIALIST REPUBLICS AND THE UNITED STATES OF AMERICA ON NOTIFICATIONS OF LAUNCHES OF INTERCONTINENTAL BALLISTIC MISSILES AND SUBMARINE-LAUNCHED BALLISTIC MISSILES, SIGNED AT MOSCOW ON 31 MAY 1988 */

I have the honour to transmit the text of the Agreement between the Union of Soviet Socialist Republics and the United States of America on Notifications of Launches of Intercontinental Ballistic Missiles and Submarine-Launched Ballistic Missiles, signed at Moscow on 31 May 1988.

I would request that you make arrangements for the text of this Agreement to be issued as an official document of the Conference on Disarmament.

(Signed) Y. Nazarkin
Ambassador
Representative of the USSR
to the Conference on Disarmament

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*/ The English text of the Agreement is to be found in CD/847.

GE.88-63568/5416G

CONFERENCE ON DISARMAMENT

CD/846 */
29 July 1988

Original: ENGLISH

LETTER DATED 25 JULY 1988 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A DOCUMENT ENTITLED "JOINT STATEMENT BETWEEN THE UNITED STATES AND THE UNION OF SOVIET SOCIALIST REPUBLICS ISSUED FOLLOWING MEETINGS IN MOSCOW, USSR - 29 MAY TO 1 JUNE 1988" **/

I have the honour to transmit herewith the text of a document entitled "Joint Statement between the United States and the Union of Soviet Socialist Republics Issued Following Meetings in Moscow, USSR - 29 May-1 June 1988" issued by the United States of America and the Union of Soviet Socialist Republics on 1 June 1988.

I would request that you make arrangements for the Statement to be issued as an official document of the Conference on Disarmament.

(Signed) Max L. Friedersdorf
United States Representative to
the Conference on Disarmament

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*/ Re-issued for technical reasons.

**/ The Russian text of the Joint United States-Soviet Statement is to be found in CD/844.

JOINT STATEMENT BETWEEN THE UNITED STATES AND THE UNION OF SOVIET SOCIALIST REPUBLICS ISSUED FOLLOWING MEETINGS IN MOSCOW, USSR MAY 29 - JUNE 1, 1988

In accordance with the understanding reached during the U.S.-Soviet summit meeting in Geneva in November 1985, and confirmed at the Washington summit in December 1987, Ronald W. Reagan, President of the United States of America, and Mikhail S. Gorbachev, General Secretary of the Central Committee of the Communist Party of the Soviet Union, met in Moscow May 29 - June 2, 1988.

Attending on the U.S. side were Secretary of State George P. Shultz; Secretary of Defense Frank C. Carlucci; Presidential Chief of Staff Howard H. Baker, Jr.; Assistant to the President for National Security Colin L. Powell; Ambassador at Large and Special Adviser to the President and the Secretary of State on Arms Control Matters, Paul H. Nitze; Special Adviser to the President and the Secretary of State on Arms Control Matters, Ambassador Edward L. Rowny; Ambassador of the U.S. to the USSR Jack F. Matlock; and Assistant Secretary of State for European and Canadian Affairs Rozanne L. Ridgway.

Attending on the Soviet side were Member of the Politburo of the CPSU Central Committee, Chairman of the Presidium of the USSR Supreme Soviet, Andrei A. Gromyko; Member of the Politburo of the CPSU Central Committee, Minister of Foreign Affairs of the USSR Eduard A. Shevardnadze; Member of the Politburo of the CPSU Central Committee, Secretary of the CPSU Central Committee Alexander N. Yakovlev; Alternate Member of the Politburo of the CPSU Central Committee, Minister of Defense of the USSR, Dimitri T. Yazov; Secretary of the CPSU Central Committee Anatoly F. Dobrynin; Assistant of the General Secretary of the CPSU Central Committee, Anatoly S. Chernyaev; Deputy Minister of Foreign Affairs of the USSR, Alexander A. Bessmertnykh; and Ambassador of the USSR to the United States of America Yuri V. Dubinin.

The President and the General Secretary view the Moscow summit as an important step in the process of putting U.S.-Soviet relations on a more productive and sustainable basis. Their comprehensive and detailed discussions covered the full agenda of issues to which the two leaders agreed during their initial meeting in Geneva in November, 1985 -- an agenda encompassing arms control, human rights and humanitarian matters, settlement of regional conflicts, and bilateral relations. Serious differences remain on important issues; the frank dialogue which has developed between the two countries remains critical to surmounting these differences.

The talks took place in a constructive atmosphere which provided ample opportunity for candid exchange. As a result, the sides achieved a better understanding of each other's positions. The two leaders welcomed the progress achieved in various areas of U.S.-Soviet relations since their last meeting in Washington, notwithstanding the difficulty and complexity of the issues. They noted with satisfaction numerous concrete agreements which have been achieved, and expressed their determination to redouble efforts in the months ahead in areas where work remains to be done. They praised the creative and intensive efforts made by representatives of both sides in recent months to resolve outstanding differences.

Assessing the state of U.S.-Soviet relations, the President and the General Secretary underscored the historic importance of their meetings in Geneva, Reykjavik, Washington, and Moscow in laying the foundation for a realistic approach to the problems of strengthening stability and reducing the risk of conflict. They reaffirmed their solemn conviction that a nuclear war cannot be won and must never be fought, their determination to prevent any war between the United States and Soviet Union, whether nuclear or conventional, and their disavowal of any intention to achieve military superiority.

The two leaders are convinced that the expanding political dialogue they have established represents an increasingly effective means of resolving issues of mutual interest and concern. They do not minimize the real differences of history, tradition and ideology which will continue to characterize the US-Soviet relationship. But they believe that the dialogue will endure, because it is based on realism and focused on the achievement of concrete results. It can serve as a constructive basis for addressing not only the problems of the present, but of tomorrow and the next century. It is a process which the President and the General Secretary believe serves the best interests of the peoples of the United States and the Soviet Union, and can contribute to a more stable, more peaceful and safer world.

I.
Arms Control

The President and the General Secretary, having expressed the commitment of their two countries to build on progress to date in arms control, determined objectives and next steps on a wide range of issues in this area. These will guide the efforts of the two governments in the months ahead as they work with each other and with other states toward equitable, verifiable agreements that strengthen international stability and security.

INF

The President and the General Secretary signed the protocol on the exchange of instruments of ratification of the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles. The two leaders welcomed the entry into force of this historic agreement, which for the first time will eliminate an entire class of U.S. and Soviet nuclear arms, and which sets new standards for arms control. The leaders are determined to achieve the full implementation of all the provisions and understandings of the Treaty, viewing joint and successful work in this respect as an important precedent for future arms control efforts.

Nuclear and Space Talks

The two leaders noted that a Joint Draft Text of a Treaty on Reduction and Limitation of Strategic Offensive Arms has been elaborated. Through this process, the sides have been able to record in the Joint Draft Text extensive and significant areas of agreement and also to detail positions on remaining areas of disagreement. While important additional work is required before this Treaty is ready for signature, many key provisions are recorded in the Joint Draft Text and are considered to be agreed, subject to the completion and ratification of the Treaty.

Taking into account a Treaty on Strategic Offensive Arms, the sides have continued negotiations to achieve a separate agreement concerning the ABM Treaty building on the language of the Washington Summit Joint Statement dated December 10, 1987. Progress was noted in preparing the Joint Draft Text of an associated Protocol. In connection with their obligations under the Protocol, the sides have agreed in particular to use the Nuclear Risk Reduction Centers for transmission of relevant information. The leaders directed their negotiators to prepare the Joint Draft Text of a separate agreement and to continue work on its associated Protocol.

The Joint Draft Treaty on Reduction and Limitation of Strategic Offensive Arms reflects the earlier understanding on establishing ceilings of no more than 1600 strategic offensive delivery systems and 6000 warheads as well as agreement on subceilings of 4900 on the aggregate of ICBM and SLBM warheads and 1540 warheads on 154 heavy missiles.

The draft Treaty also records the sides' agreement that as a result of the reductions the aggregate throw-weight of the Soviet Union's ICBMs and SLBMs will be reduced to a level approximately 50 percent below the existing level and this level will not be exceeded.

During the negotiations the two sides have also achieved understanding that in future work on the Treaty they will act on the understanding that on deployed ICBMs and SLBMs of existing types the counting rule will include the number of warheads referred to in the Joint Statement of December 10, 1987, and the number of warheads which will be attributed to each new type of ballistic missile will be subject to negotiation.

In addition, the sides agreed on a counting rule for heavy bomber armaments according to which heavy bombers equipped only for nuclear gravity bombs and SRAMs will count as one delivery vehicle against the 1600 limit and one warhead against the 6000 limit.

The delegations have also prepared Joint Draft Texts of an Inspection Protocol, a Conversion or Elimination Protocol, and a Memorandum of Understanding on data, which are integral parts of the Treaty. These documents build on the verification provisions of the INF Treaty, extending and elaborating them as necessary to meet the more demanding requirements of START. The START verification measures will, at a minimum, include:

A. Data exchanges, to include declarations and appropriate notifications on the number and location of weapons systems limited by START, including locations and facilities for production, final assembly, storage, testing, repair, training, deployment, conversion, and elimination of such systems. Such declarations will be exchanged between the sides before the Treaty is signed and updated periodically.

B. Baseline inspections to verify the accuracy of these declarations.

C. On-site observation of elimination of strategic systems necessary to meet the agreed limits.

D. Continuous on-site monitoring of the perimeter and portals of critical production facilities to confirm the output of weapons to be limited.

E. Short-notice on-site inspection of:

(i) declared locations during the process of reducing to agreed limits;

(ii) locations where systems covered by this Treaty remain after achieving the agreed limits; and

(iii) locations where such systems have been located (formerly declared facilities).

F. Short-notice inspection, in accordance with agreed upon procedures, of locations where either side considers covert deployment, production, storage or repair of strategic offensive arms could be occurring.

G. Prohibition of the use of concealment or other activities which impede verification by National Technical Means. Such provisions would include a ban on telemetry encryption and would allow for full access to all telemetric information broadcast during missile flight.

H. Procedures that enable verification of the number of warheads on deployed ballistic missiles of each specific type, including on-site inspection.

I. Enhanced observation of activities related to reduction and limitation of strategic offensive arms by National Technical Means. These would include open displays of treaty-limited items at missile bases, bomber bases, and submarine ports at locations and times chosen by the inspecting party.

The two sides have also begun to exchange data on their strategic forces.

During the course of this meeting in Moscow, the exchanges on START resulted in the achievement of substantial additional common ground, particularly in the areas of ALCMs and the attempts to develop and agree, if possible, on a solution to the problem of verification of mobile ICBMs. The details of this additional common ground have been recorded in documents exchanged between the sides. The Delegations in Geneva will record these gains in the Joint Draft Text of the START Treaty.

The sides also discussed the question of limiting long-range, nuclear-armed SLCMs.

Ronald Reagan and M.S. Gorbachev expressed their joint confidence that the extensive work done provides the basis for concluding the Treaty on Reduction and Limitation of Strategic Offensive Arms which will promote strategic stability and strengthen security not only of the peoples of the USSR and the USA, but of all mankind.

Guided by this fundamental agreement, the U.S. President and the General Secretary of the Central Committee of the CPSU agreed to continue their efforts in this area energetically and purposefully. The Delegations of the two countries have been instructed to return to Geneva on July 12, 1988. It has been agreed as a matter of principle that, once the remaining problems are solved and the Treaty and its associated documents are agreed, they will be signed without delay.

Ballistic Missile Launch Notifications

The agreement between the U.S. and the USSR on notifications of launches of Intercontinental Ballistic Missiles and Submarine-Launched Ballistic Missiles, signed during the Moscow summit, is a practical new step, reflecting the desire of the sides to reduce the risk of outbreak of nuclear war, in particular as a result of misinterpretation, miscalculation or accident.

Nuclear Testing

The leaders reaffirmed the commitment of the two sides to conduct in a single forum full-scale, stage-by-stage negotiations on the issues relating to nuclear testing. In these negotiations the sides as the first step will agree upon effective verification measures which will make it possible to ratify the U.S.-USSR Threshold Test Ban Treaty of 1974 and Peaceful Nuclear Explosions Treaty of 1976, and proceed to negotiating further intermediate limitations on nuclear testing leading to the ultimate objective of the complete cessation of nuclear testing as part of an effective disarmament process. This process, among other things, would pursue, as the first priority, the goal of the reduction of nuclear weapons and, ultimately, their elimination. In implementing the first objective of these negotiations, agreement upon effective verification measures for the U.S.-USSR Threshold Test Ban Treaty of 1974, the sides agreed to design and conduct a Joint Verification Experiment at each other's test sites.

The leaders therefore noted with satisfaction the signing of the Joint Verification Experiment Agreement, the considerable preparation underway for the Experiment, and the positive cooperation being exhibited in particular by the substantial numbers of personnel now engaged in work at each other's test sites. They also noted the substantial progress on a new Protocol to the Peaceful Nuclear Explosions Treaty and urged continuing constructive negotiations on effective verification measures for the Threshold Test Ban Treaty.

Expressing their conviction that the progress achieved so far forms a solid basis for continuing progress on issues relating to nuclear testing, the leaders instructed their negotiators to complete expeditiously the preparation of a Protocol to the Peaceful Nuclear Explosions Treaty and to complete the preparation of a Protocol to the Threshold Test Ban Treaty as soon as possible after the Joint Verification Experiment has been conducted and analyzed. They confirmed their understanding that verification measures for the TTBT will, to the extent appropriate, be used in further nuclear test limitation agreements which may subsequently be reached. They also declared their mutual intention to seek ratification of both the 1974 and 1976 Treaties when the corresponding protocols to the Threshold Test Ban Treaty and the Peaceful Nuclear Explosions Treaty are completed, and to continue negotiations as agreed in the Washington joint summit statement.

Nuclear Non-Proliferation

The two leaders noted that this year marks the 20th Anniversary of the Nuclear Non-Proliferation Treaty, one of the most important international arms control agreements with over 130 adherents. They reaffirmed their conviction that universal adherence to the NPT is important to international peace and security. They expressed the hope that each state not a party to the Treaty will join it, or make an equally binding commitment under international law to forego acquisition of nuclear weapons and prevent nuclear weapons proliferation. This will enhance the possibility of progress toward reducing nuclear armaments and reduce the threat of nuclear war.

The two leaders also confirmed their support of the International Atomic Energy Agency, and agreed that they would continue efforts to further strengthen it. They reaffirmed the value of their regular consultations on non-proliferation and agreed that they should continue.

Nuclear Risk Reduction Centers

The leaders expressed satisfaction over the activation of the new communications link between the Nuclear Risk Reduction Centers in Moscow and Washington, established in accordance with the U.S.-Soviet agreement of September 15, 1987. It was agreed that the Centers can play an important role in the context of a future Treaty on reducing U.S. and Soviet strategic nuclear arms.

Chemical Weapons

The leaders reviewed the status of on-going multilateral negotiations and bilateral U.S.-Soviet consultations toward a comprehensive, effectively verifiable, and truly global ban on chemical weapons, encompassing all chemical weapons-capable states. They also expressed concern over the growing problem of chemical weapons proliferation and use.

The leaders reaffirmed the importance of efforts to address, as a matter of continuing urgency, the unique challenges of a chemical weapons ban and to achieve an effective convention. While noting the progress already achieved in the talks and the difficult problems with regard to effective monitoring of the global prohibition of chemical weapons and the non-use of dual-capable chemicals for chemical weapons purposes, the leaders underlined the need for concrete solutions to the problems of ensuring effective verification and undiminished security for all convention participants. They gave instructions to their respective delegations to this effect.

Both sides agreed on the vital importance of greater openness by all states as a way to build confidence and strengthen the foundation for an effective convention. The leaders also emphasized the necessity of close coordination on a multilateral basis in order to ensure the participation of all CW-possessing and CW-capable states in the convention.

Both sides strongly condemned the dangerous spread and illegal use of chemical weapons in violation of the 1925 Geneva Protocol. They stressed the importance of both technical and political solutions to this problem and confirmed their support for international investigations of suspected violations. Noting the initial efforts being made to control the export of chemicals used in manufacturing chemical weapons, the leaders called on all nations with the capability of producing such chemicals to institute stringent export controls to inhibit the proliferation of chemical weapons.

Conventional Arms Control

The leaders emphasized the importance of strengthening stability and security in the whole of Europe. They welcomed progress to date on development of a mandate for new negotiations on armed forces and conventional armaments. They expressed their hope for an early and balanced conclusion to the Vienna CSCE Follow-Up Meeting. The President and the General Secretary also noted that full implementation of the provisions of the document of the Stockholm Conference on Confidence- and Security-Building Measures and Disarmament in Europe can significantly increase openness and mutual confidence.

They also discussed the situation in the Mutual and Balanced Force Reduction (MBFR) negotiations in Vienna.

Conference on Security and Cooperation in Europe

They expressed their commitment to further development of the CSCE process. The U.S. and USSR will continue to work with the other 33 participants to bring the Vienna CSCE follow-up meeting to a successful conclusion, through significant results in all the principal areas of the Helsinki Final Act and Madrid Concluding Document.

Ballistic Missile Technology Proliferation

The leaders agreed to bilateral discussions at the level of experts on the problem of proliferation of ballistic missile technology.

Third Special Session of the UN General Assembly

The President and the General Secretary noted the importance of the ongoing Third Special Session on Disarmament.

II.
Human Rights and Humanitarian Concerns

The President and the General Secretary engaged in a detailed discussion of human rights and humanitarian concerns. The leaders reviewed the increasingly broad and detailed U.S.-Soviet dialogue in this area and agreed that it should be conducted at all levels in order to achieve sustained, concrete progress. They noted that this dialogue should seek to maximize assurance of the rights, freedoms and human dignity of individuals; promotion of people-to-people communications and contacts; active sharing of spiritual, cultural, historical and other values; and greater mutual understanding and respect between the two countries. Toward this end, they discussed the possible establishment of a forum which, meeting regularly, would bring together participants from across the range of their two societies. They noted steps already taken to establish the exchange of information and contacts between legislative bodies of both countries, as well as discussions between legal experts, physicians and representatives of other professions directly involved in matters pertaining to human rights, and between representatives of non-governmental organizations.

III.
Regional Issues

The President and the General Secretary thoroughly discussed a wide range of regional questions, including the Middle East, the Iran-Iraq war, southern Africa, the Horn of Africa, Central America, Cambodia, the Korean Peninsula, and other issues. They expressed satisfaction with the April, 1988, conclusion in Geneva of accords on an Afghanistan settlement. Although the discussions revealed serious differences both in the assessment of the causes of regional tensions and in the means to overcome them, the leaders agreed that these differences need not be an obstacle to constructive interaction between the U.S. and USSR.

They reaffirmed their intention to continue U.S.-Soviet discussions at all levels aimed at helping parties to regional conflicts find peaceful solutions which advance their independence, freedom and security. They emphasized the importance of enhancing the capacity of the United Nations and other international institutions to contribute to the resolution of regional conflicts.

IV.
Bilateral Affairs

The President and the General Secretary reviewed progress in further expanding bilateral contacts, exchanges and cooperation since their meeting in Washington, D.C. in December 1987. They noted the increasingly important role that mutually beneficial interchange between the two countries can play in improving mutual understanding and providing stability in the U.S.-Soviet relationship. They stated their intention to intensify such ties.

They noted with particular satisfaction that concrete agreements had been reached in most of the areas identified at their meetings in Geneva, Reykjavik and Washington.

Bilateral Agreements and Cooperative Activities

The President and the General Secretary welcomed the conclusion of a number of bilateral agreements which open new opportunities for fruitful cooperation in the following fields: cooperation in transportation science and technology; maritime search and rescue; operational coordination between U.S. and Soviet radionavigation systems in the Northern Pacific and Bering Sea; and mutual fisheries relations.

The two leaders welcomed the recent signing of a new Memorandum on Civilian Nuclear Reactor Safety under the bilateral agreement on Peaceful Uses of Atomic Energy. There was an exchange of notes to extend that Agreement.

They expressed satisfaction with the recent signing of a new protocol under the bilateral Housing Agreement for cooperation in construction research relating to extreme geological and unusual climatic conditions.

They reviewed the status of negotiations between the two countries concerning maritime shipping, the U.S.-USSR maritime boundary, basic scientific research, and emergency pollution clean-up in the Bering and Chukchi Seas. They instructed their negotiators to accelerate efforts to achieve mutually acceptable agreements in these areas at the earliest opportunity.

The two leaders welcomed the start of bilateral discussions on combatting narcotics trafficking. They noted with satisfaction ongoing consultations between the two sides concerning law of the sea, air and sea transportation safety, and areas of mutual interest in the field of law.

Cultural and People-to-People Exchanges

Noting the expansion of exchanges in the areas of education, science, culture and sports under the General Exchanges Agreement, the two leaders welcomed the signing of a new implementing program for 1989-91 under the Agreement and expressed their intention to continue expansion of such exchanges. During the time in which this program is in force, the two sides, taking into consideration their mutual interest as well as financial and technical conditions, will conduct negotiations on the opening of culture/information centers in the U.S. and the USSR with the aim of signing an appropriate agreement on behalf of the governments of both countries.

They expressed satisfaction that, over the course of their dialogue, people-to-people contacts and exchanges between non-governmental organizations have significantly increased and become one of the most dynamic elements in the bilateral relationship. They reaffirmed their commitment to further growth of such exchanges, which contribute to mutual understanding, and welcomed plans for increased exchanges of young people in the future. In this context, they expressed their readiness to consider in practical terms the idea of further developing exchanges of high school students. They cited recent joint U.S.-Soviet initiatives on culture, theater and the cinema as examples of new opportunities to engage those involved in the creative arts.

Noting the rapidly growing sports ties between the two countries, including their national Olympic committees, the two leaders expressed their support for the International Olympic movement, which promotes international cooperation and understanding through athletic competition.

Other Cooperative Activities

The President and the General Secretary noted the successful expansion of scientific cooperation within the framework of bilateral agreements in Environmental Protection, Medical Science and Public Health, Artificial Heart Research and Development, Agriculture, and Studies of the World Ocean, and expressed their intention to continue to expand activities under these Agreements in areas of mutual benefit to the two sides.

The President and the General Secretary noted with pleasure the commencement of work on a conceptual design of an International Thermonuclear Experimental Reactor (ITER), under the auspices of the International Atomic Energy Agency, between scientists and experts from the United States, Soviet Union, European Atomic Energy Community, and Japan. The two leaders noted the significance of this next step toward the development of fusion power as a cheap, environmentally sound, and essentially inexhaustible energy source for the benefit of all mankind.

The President and the General Secretary welcomed agreement by representatives of the United States, Soviet Union, Canada and France, to institutionalize in the near future the COSPAS/SARSAT space-based, life-saving global search and rescue system.

Both leaders reaffirmed their support for the WHO/UNICEF goal of reducing the scale of preventable childhood death through the most effective methods of saving children. They urged other countries and the international community to intensify efforts to achieve this goal.

Global Climate and Environmental Change Initiative

The two leaders expressed their satisfaction with activities since the Washington summit in expanding cooperation with respect to global climate and environmental change, including in areas of mutual concern relating to environmental protection, such as protection and conservation of stratospheric ozone and a possible global warming trend. They emphasized their desire to make more active use of the unique opportunities afforded by the space programs of the two countries to conduct global monitoring of the environment and the ecology of the Earth's land, oceans and atmosphere. They underscored the need to continue to promote both bilateral and multilateral cooperation in this important area in the future.

Initiative for Expanded Civil Space Cooperation

Recognizing the long-standing commitment of both countries to space science and exploration, and noting the progress made under the 1987 U.S.-USSR Cooperative Agreement in the Exploration and Use of Outer Space for Peaceful Purposes, the two leaders agreed to a new initiative to expand civil space cooperation by exchanging flight opportunities for scientific instruments to fly on each other's spacecraft, and by exchanging results of independent national studies of future unmanned solar system exploration missions as a means of assessing prospects for further U.S.-Soviet cooperation on such missions. They also agreed to expand exchanges of space science data and of scientists, to enhance the scientific benefit that can be derived from the two countries' space research missions. They noted scientific missions to the Moon and Mars as areas of possible bilateral and international cooperation.

Arctic Contacts and Cooperation

Taking into account the unique environmental, demographic and other characteristics of the Arctic, the two leaders reaffirmed their support for expanded bilateral and regional contacts and cooperation in this area. They noted plans and opportunities for increased scientific and environmental cooperation under a number of bilateral agreements as well as within an International Arctic Science Committee of states with interests in the region. They expressed their support for increased people-to-people contacts between the native peoples of Alaska and the Soviet North.

The President and the General Secretary noted the positive role played by the multilateral Antarctic Treaty and emphasized the importance of U.S.-Soviet scientific and environmental cooperation in that region.

Trade and Economic Affairs

The two sides reconfirmed their strong support for the expansion of mutually beneficial trade and economic relations and noted recent activity in this area. They reiterated their belief that commercially viable joint ventures complying with the laws and regulations of both countries could play a role in the further development of commercial relations. They welcomed the results of the meeting of the Joint U.S.-USSR Commercial Commission in April and noted with satisfaction that working groups had been created under the Commission to further the establishment of better conditions under which mutually advantageous trade can develop. Taking note of the 1974 Joint Statement and Protocol amending the Long-Term Agreement between the United States of America and the Union of Soviet Socialist Republics to Facilitate Economic, Industrial and Technical Cooperation issued at the conclusion of the Joint Commercial Commission, they agreed that the Commission should continue to meet to build upon the forward momentum which has been generated.

The two leaders cited expanding relations between Aeroflot and Pan American Airlines under the government-to-government Civil Air Transportation Agreement as a positive example of mutually beneficial cooperation.

Consulates Exchange/Diplomatic and Consular Missions

The President and the General Secretary reaffirmed their agreement to open Consulates General in Kiev and New York as soon as practicable.

The two leaders discussed questions relating to ensuring adequate and secure conditions for U.S. and Soviet diplomatic and consular establishments and their personnel in each other's territory. They agreed on the need to approach problems relating to such matters constructively and on the basis of reciprocity.

V.
Future Meetings

The President and the General Secretary, recognizing the importance of their personal involvement in the development of relations in the months ahead, instructed Secretary of State Shultz and Foreign Minister Shevardnadze to meet as necessary and to report to them on ways to ensure continued practical progress across the full range of issues. Expert-level contacts will also continue on an intensified basis.

Moscow,
June 1, 1988

CONFERENCE ON DISARMAMENT

CD/847 */
29 July 1988

Original: ENGLISH

LETTER DATED 25 JULY 1988 FROM THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON NOTIFICATIONS OF LAUNCHES OF INTERCONTINENTAL BALLISTIC MISSILES AND SUBMARINE-LAUNCHED BALLISTIC MISSILES, SIGNED AT MOSCOW ON 31 MAY 1988 **/

I have the honour to transmit herewith the text of the Agreement between the United States of America and the Union of Soviet Socialist Republics on Notifications of Launches of Intercontinental Ballistic Missiles and Submarine-Launched Ballistic Missiles, signed at Moscow on 31 May 1988.

I would request that you make arrangements for the Agreement to be issued as an official document of the Conference on Disarmament.

(Signed) Max L. Friedersdorf
United States Representative
to the Conference on Disarmament

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*/ Re-issued for technical reasons.

**/ The Russian text of the Agreement is to be found in CD/845.

GE.88-63772/5506G

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON NOTIFICATIONS OF LAUNCHES OF INTERCONTINENTAL BALLISTIC MISSILES AND SUBMARINE-LAUNCHED BALLISTIC MISSILES

The United States of America and the Union of Soviet Socialist Republics, herinafter referred to as the Parties,

Affirming their desire to reduce and ultimately eliminate the risk of outbreak of nuclear war, in particular, as a result of misinterpretation, miscalculation, or accident,

Believing that a nuclear war cannot be won and must never be fought,

Believing that agreement on measures for reducing the risk of outbreak of nuclear war serves the interests of strengthening international peace and security,

Reaffirming their obligations under the Agreement on Measures to Reduce the Risk of Outbreak of Nuclear War between the United States of America and the Union of Soviet Socialist Republics of 30 September 1971, the Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on the Prevention of Incidents on and over the High Seas of 25 May 1972, and the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Establishment of Nuclear Risk Reduction Centres of 15 September 1987,

Have agreed as follows:

ARTICLE I

Each Party shall provide the other Party notification, through the Nuclear Risk Reduction Centres of the United States of America and the Union of Soviet Socialist Republics, no less than 24 hours in advance, of the planned date, launch area, and area of impact for any launch of a strategic ballistic missile: an intercontinental ballistic missile (hereinafter "ICBM") or a submarine-launched ballistic missile (hereinafter "SLBM").

ARTICLE II

A notification of a planned launch of an ICBM or an SLBM shall be valid for four days counting from the launch date indicated in such a notification. In case of postponement of the launch date within the indicated four days, or cancellation of the launch, no notification thereof shall be required.

ARTICLE III

1. For launches of ICBMs or SLBMs from land, the notification shall indicate the area from which the launch is planned to take place.

2. For launches of SLBMs from submarines, the notification shall indicate the general area from which the missile will be launched. Such notification shall indicate either the quadrant within the ocean (that is, the 90-degree sector encompassing approximately one fourth of the area of the ocean) or the body of water (for example, sea or bay) from which the launch is planned to take place.

3. For all launches of ICBMs or SLBMs, the notification shall indicate the geographic co-ordinates of the planned impact area or areas of the re-entry vehicles. Such an area shall be specified either by indicating the geographic co-ordinates of the boundary points of the area, or by indicating the geographic co-ordinates of the centre of a circle with a radius specified in kilometers or nautical miles. The size of the impact area shall be determined by the notifying Party at its discretion.

ARTICLE IV

The Parties undertake to hold consultations, as mutually agreed, to consider questions relating to implementation of the provisions of this Agreement, as well as to discuss possible amendments thereto aimed at furthering the implementation of the objectives of this Agreement. Amendments shall enter into forc in accordance with procedures to be agreed upon.

ARTICLE V

This Agreement shall not affect the obligations of either Party under other agreements.

ARTICLE VI

This Agreement shall enter into force on the date of its signature.

The duration of this Agreement shall not be limited.

This Agreement may be terminated by either Party upon 12 months written notice to the other Party.

DONE at Moscow on 31 May 1988, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA

George P. Shultz

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS

E. Shevardnadze

CONFERENCE ON DISARMAMENT

CD/848
25 July 1988

Original: ENGLISH

Decision on the re-establishment of the Ad Hoc Committee on the Comprehensive Programme of Disarmament

(Adopted at the 466th plenary meeting on 19 July 1988)

The Conference on Disarmament decides to re-establish the Ad Hoc Committee on the Comprehensive Programme of Disarmament to continue negotiations on the Comprehensive Programme of Disarmament with the firm intention of completing the elaboration of the Programme for its submission to the General Assembly at its forty-third session or, at the latest, at its forty-fourth session if the achievement of that objective is not possible during 1988.

The Conference requests the Ad Hoc Committee to report on the progress of its work before the end of the 1988 session.

GE.88-63800/5516G

CONFERENCE ON DISARMAMENT

CD/849
CD/CW/WP.205
28 July 1988

Original: ENGLISH

UNITED STATES OF AMERICA

Destruction of Chemical Weapons Production Facilities

Introduction

Under a future chemical weapons convention, a State Party must destroy its chemical weapons production facilities in a manner that prevents environmental contamination, provides for the safety of operational and inspection personnel and ensures that neither the equipment nor buildings can be used again. Specific details of the methods and techniques employed for destruction will vary with the configuration of the facility, type(s) of chemicals produced and munitions filled. Details will be specified in detailed arrangements developed by the State Party for each facility and approved by the Executive Council.

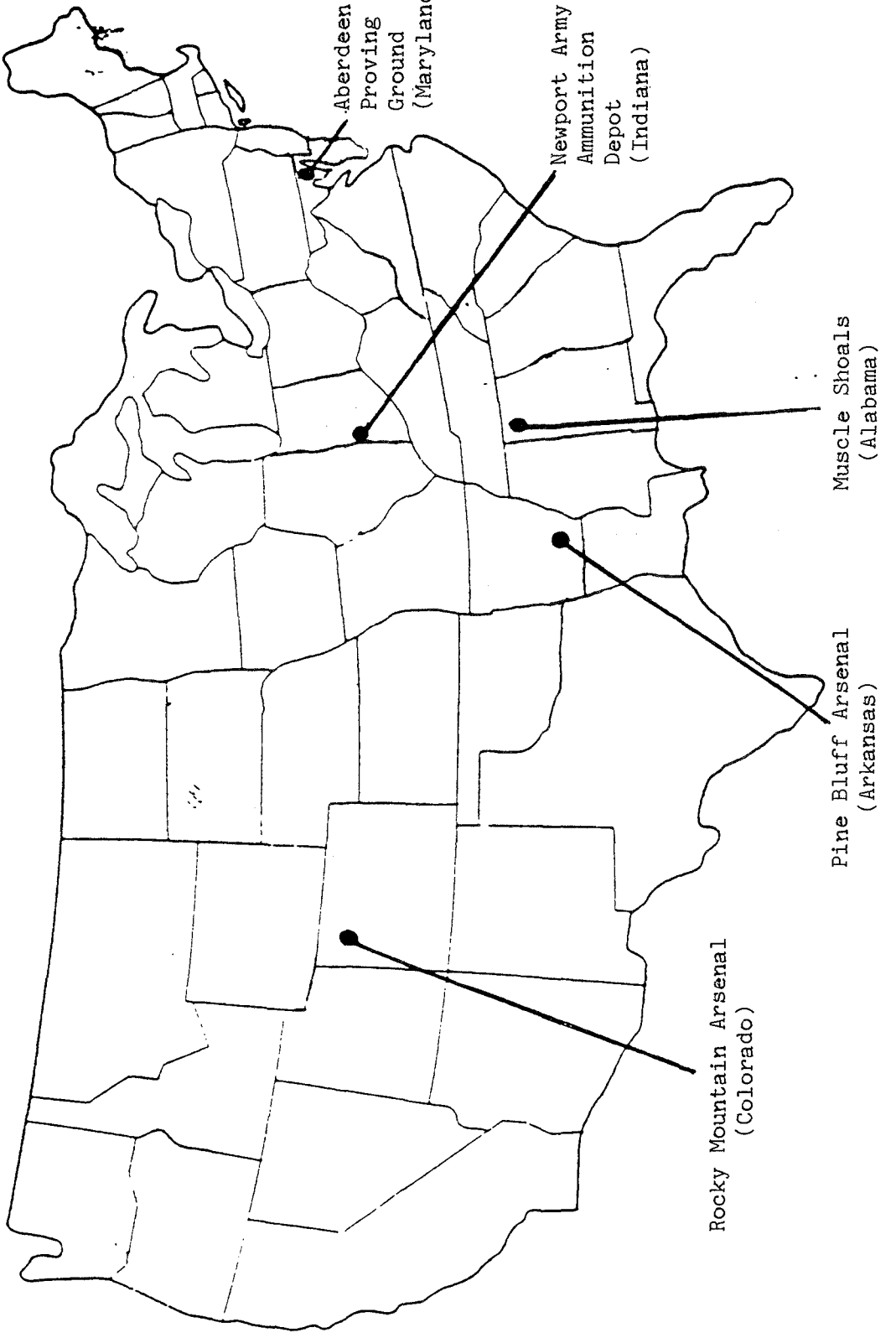
United States' production facilities that would be subject to destruction are shown in Figure 1. They are located at Rocky Mountain Arsenal, Colorado (sarin production); Newport Army Ammunition Plant, Newport, Indiana (VX production); Pine Bluff Arsenal, Pine Bluff, Arkansas (difluoro and QL production); Muscle Shoals, Alabama (dichloro production) and Aberdeen Proving Ground, Maryland (pilot plant). Each presents unique characteristics that must be considered separately and specifically. Both local and national environmental laws and safety regulations must be met. Procedures for doing so must be taken into account in the facility-specific arrangements. Site-specific environmental considerations would include the potential environmental impact of the specific agents or precursors produced at the site and the production and waste disposal processes employed in both the production of the agent and the planned destruction of the facility.

The purpose of this paper is to present for discussion some general concepts concerning destruction methods.

General procedures

The paper entitled "Chemical Weapons Production Facilities" in Appendix II of CD/831 calls for the physical destruction of all standard and specialized equipment and buildings used for producing chemical weapons. The procedures for destruction of the equipment and buildings must ensure that the components cannot be reassembled. Buildings housing administrative and support services would not have to be destroyed.

FIGURE 1. CHEMICAL WEAPONS PRODUCTION FACILITIES



Specific safety procedures for destruction are governed by the toxicity of the chemicals involved at a particular stage in the process. Areas where supertoxic (Schedule 1) chemicals were handled would present the greatest potential hazard to workers and therefore their destruction would be the most labour intensive and time consuming. Extreme precautions would be required. Less stringent precautions would be needed for the destruction of stages where less toxic precursors (Schedule 2 chemicals) were produced. Within a specific facility, from a practical and safety standpoint, it would be prudent to begin the destruction process with the most hazardous area first.

Destruction of supertoxic chemical facilities

The first step in actual destruction of a supertoxic chemical production facility would be to flush an appropriate decontaminant solution such as aqueous sodium hydroxide through all process equipment and to wash down all equipment surfaces, walls, ceilings, and floors to remove surface contamination. This surface decontamination effort would be slow and labour intensive since personnel will have to be dressed in cumbersome protective clothing.

Once all surface contamination has been removed, actual disassembly and destruction can begin. While much of the equipment can be taken apart by the removal of bolts and fasteners, large pieces of equipment such as reactor vessels and storage tanks would have to be cut into small pieces by acetylene torches. In addition to the large pieces of equipment, all other special and standard equipment, such as valves, gauges, piping, and production control equipment must be destroyed after disassembly by cutting into pieces, crushing, heating or other techniques that would render the equipment irreversibly unuseable.

All personnel conducting disassembly and destruction operations would have to wear protective masks and clothing. Toxic vapours may be generated by heating metal surfaces that retain small quantities of residual agent. Agent also will probably have seeped into areas such as seals, gaskets, and interior joints where surface decontamination efforts cannot reach. Pieces of dismantled metal equipment can be thoroughly decontaminated by heating in a metal parts furnace at 540 degrees Celsius for a minimum of 15 minutes.

During the disassembly of a supertoxic chemical facility, not only must personnel be in protective clothing but the air must be monitored continuously to assess the presence and concentration of any vapour to which workers may be exposed. Liquid waste from the surface decontamination operations must be collected, monitored for the presence of agents and incinerated or, if necessary, further chemically neutralized and disposed of in an environmentally safe manner. Residual salts from either incineration or chemical neutralization must also be disposed of in an acceptable manner. Incineration produces significantly less residue.

Destruction of non-supertoxic chemical facilities

In general, the steps in destruction of non-supertoxic facilities (precursors on Schedule 2) would parallel those for a supertoxic facility, except that operating personnel would not have to be in chemical protective clothing. Standard industrial practices and precautions would be sufficient. As a result, the destruction process would be more rapid and less costly.

Demolition of buildings

Process equipment for low toxicity operations with non-supertoxic precursor chemicals is likely to be located in the open or in buildings of light construction. Demolition could be readily carried out using standard demolition equipment and procedures.

Supertoxic chemicals of low vapour pressure are likely to have been produced and filled into munitions in buildings of light construction. In the United States however, the relatively volatile supertoxic chemical sarin was produced and filled into explosive-containing munitions in massive reinforced concrete structures. These will be considerably more difficult to demolish. Munitions not containing explosive were filled with sarin in a building of light construction.

To destroy any residual toxic chemicals, rubble from demolition operations could be heat treated or incinerated in a high temperature rotary kiln and then buried in an approved landfill. Where required by law, appropriate environmental permits would have to be obtained prior to the final disposal. As an indication of the magnitude of the amount of material that may have to be disposed of, it has been estimated that the demolition of the sarin facilities at Rocky Mountain Arsenal would produce 114,000 tons of rubble.

Demolition of specialized and standard buildings used in the production of chemical weapons would be accomplished and verified in accordance with an approved plan for the specific facility. Verification would be by the on-site presence of international inspectors.

Demolition of non-chemical facilities and equipment

Declaration and destruction of facilities used exclusively for the production of non-chemical parts for chemical munitions or special equipment for chemical weapons employment has been proposed (see paragraph 3 of the paper on Chemical Weapons Production Facilities in Appendix II of CD/831). The United States has no such facilities. However, where necessary, destruction of such facilities could be accomplished using the standard industrial procedures used for the destruction of non-supertoxic chemical facilities. Verification would be accomplished by the procedures contained in the Annex to Article V of the draft convention.

In the United States, especially designed equipment for the production of such non-chemical items is located in facilities whose primary purpose is not related to chemical weapons production. Such equipment would be declared in the State Party's initial declaration. It would subsequently be transported to a designated facility for destruction. International inspectors would verify the destruction by direct observation. Specific details of the disassembly, transport to the designated facility and destruction procedures would be specified in the destruction plans approved by the Executive Council.

Time and manpower requirements

Since it is not possible to make any accurate estimate of costs without a specific facility in mind, only a very general estimate of time and manpower requirements and costs for destruction can be made at this time. Generally

speaking, it appears that many hundreds of man-years of effort and tens of millions of dollars will be required to eliminate a large-scale production facility.

The scale of effort required can be illustrated by United States' experience in dismantling equipment at Rocky Mountain Arsenal which was once used to demilitarize the M34 Agent GB (sarin) cluster bomb. This effort involved 350 men working for 2-3 months (50-60 man-years) and cost roughly two million dollars. As a very crude estimate, destruction of the remaining chemical weapons production and filling facilities at Rocky Mountain Arsenal would require an effort at least an order of magnitude greater. At least two years would be required to accomplish such an effort, not including time required for planning, publishing the proposed plan and the public review process may add as much as an additional two to three years to the overall destruction process.

Environmental requirements

The world-wide increased awareness and interest in environmental quality and preservation has a direct impact on the development, selection, and implementation of destruction methods. Approved procedures must assure minimal degradatory impact on the environment. Selection of the optimum methodologies in relation to available resources and ability to meet existing environmental laws and regulations is a critical process that must be recognized and addressed in developing plans and schedules for destruction.

Although environmental laws and regulations will be different in each State Party, for this paper, the environmental laws and regulations of the United States will be used to illustrate a type of an environmental approval process.

The National Environmental Policy Act (NEPA) of 1969 establishes national environmental policy, sets goals and provides the means for implementing the policy. It provides "action forcing" provisions to make sure that all agencies of the Government act in accordance with both the letter and spirit of the law.

One of the most important provisions of NEPA is the requirement for the publication of a detailed analysis of the potential impact of any proposed actions that may significantly affect the quality of the human environment. This documented analysis is called an environmental impact statement (EIS) and is the basis for a formal record of decision of specific approved actions to be accomplished. Appropriate federal, State and local agencies and the general public are key participants in the planning, review and approval of the final environmental impact statement and record of decision. The process starts with the public announcement of a "notice of intent" of an agency of the federal Government to take certain actions (such as the destruction of a chemical weapons production facility). The "notice of intent" would announce the time and place of a public "scoping" meeting where all interested parties, both Government and private, can come together to discuss the proposed action to assure that all pertinent environmental issues and alternatives are analysed in detailed in the draft environmental impact statement (DEIS).

After the draft environmental impact statement is published, another public meeting is scheduled for a public review of the document. All comments received are considered and incorporated into or appended to the final environmental impact statement (FEIS). Based on the final environmental impact statement, a record of decision is published that states the decision to be implemented, identifies all alternatives considered in reaching the decision, and recommends the preferred alternative.

Implementation of the record of decision must be approved by the United States Congress and may require the passage of implementing legislation at the national level. Implementation will also require federal, State and local permits for the safe handling of hazardous waste materials. These permits are required under the Clean Air Act (CAA) and the Resources Conservation and Recovery Act (RCRA). Applications for the required permits must assure the issuing authority that all hazardous materials will be disposed of in an environmentally safe manner which meets the intent of all existing laws and regulations. The process is extremely important, but very time consuming and expensive. Adherence is essential to ensure optimum practical solutions to potentially serious environmental issues.

Monitoring of destruction

Destruction of production facilities would be verified by on-site inspection. Section V of the Annex to Article V of the draft convention (CD/831) provides general provisions for the monitoring and verification of chemical weapons production facilities from initial declaration to final destruction through systematic on-site inspection and continuous monitoring with on-site instruments installed by international inspectors. However, detailed criteria and procedures necessary to implement the general provisions remain to be elaborated. For example, the types of monitoring instruments to be installed, their operation and maintenance and detailed inspection procedures for on-site inspections that would be specified in agreements on subsidiary arrangements for each facility are yet unknown. Also, criteria must be developed that can be used to define the level of transformation and disposition of equipment and buildings that constitutes destruction in terms of the convention.

The general provisions in the current draft convention will, when the required detailed procedures and criteria are developed and agreed upon, provide an effective mechanism for confidence building and verification.

CONFERENCE ON DISARMAMENT

CD/850
1 August 1988

ENGLISH
Original: ARABIC

LETTER DATED 28 JULY 1988 FROM THE PERMANENT REPRESENTATIVE OF EGYPT ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE TEXT OF A STATEMENT ISSUED BY THE MINISTRY OF FOREIGN AFFAIRS OF EGYPT ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

I take pleasure in enclosing the text of a statement issued by the Ministry of Foreign Affairs of Egypt on the occasion of the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons.

I request that you kindly arrange for its circulation as an official document of the Conference on Disarmament.

(Signed): Nabil ELARABY
Ambassador
Permanent Representative

Statement by the Ministry of Foreign Affairs on the occasion of the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons

1 July 1988 is the twentieth anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons, the purpose of which was to save the world from the calamities of nuclear war and the dangers of proliferation and escalation in the production of nuclear weapons. Accordingly, the Treaty constitutes one of the principal achievements of the United Nations and the international community in the field of nuclear disarmament and, as such, takes pride of place in this field with other achievements at the multilateral and bilateral levels. The Treaty on the Non-Proliferation of Nuclear Weapons has also given greater impetus to efforts aimed at establishing nuclear-weapon-free zones, particularly in the Middle Eastern and African regions.

In celebrating this anniversary, the Ministry of Foreign Affairs of the Arab Republic of Egypt wishes to express Egypt's firm belief in the need to achieve complete disarmament, and particularly nuclear disarmament, so that the world can enjoy undisturbed peace and reassuring security in which friendly relations among States will flourish, in which resources and energies will be directed towards the development and welfare of peoples and in which the use of nuclear energy will be restricted to peaceful purposes, in keeping with the provisions of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons.

Egypt made a considerable effort to ensure the adoption of the Non-Proliferation Treaty, and was eager to be among the first States to sign it. Accordingly, Egypt realizes the vital importance of extending the scope of application of the Treaty to all States, and is therefore making a strong appeal to all countries of the world, and particularly those in the Middle Eastern and African regions, that have not yet acceded to the Treaty, to rapidly accede thereto and to comply with the provisions of the Treaty and subject all their nuclear installations to the system of safeguards of the International Atomic Energy Agency in order to confirm their good intentions and contribute to the confidence-building measures, particularly in these two vital regions to which Egypt belongs.

In conclusion, the Egyptian Ministry of Foreign Affairs wishes to commend the diligent and positive endeavours that are being made by the International Atomic Energy Agency in its task of ensuring the application of the system of safeguards to the States parties to the Treaty and co-operating with them in the field of the peaceful uses of nuclear energy.

CONFERENCE ON DISARMAMENT

CD/851
CD/OS/WP.24
2 August 1988

ENGLISH
Original: SPANISH

VENEZUELA

Proposed amendment to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies

Article IV of the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, should be amended as follows:

Insert in the first paragraph:

After the phrase "or any other kinds of weapons of mass destruction", the words "or any kind of space weapon or system of such space weapons".

Insert between the first and second paragraphs:

"The States Parties to the Treaty also undertake not to develop, produce, store or use space weapons.

"For the purposes of the preceding paragraph space weapons are understood to mean any offensive or defensive device, including its operational components, whatever the scientific principle on which its functioning is based:

"(a) Capable of destroying or damaging from its place of deployment in outer space an object situated in outer space, in the air, in water or on land;

"(b) Capable of destroying or damaging from its place of deployment in the air, in water or on land an object situated in outer space.

"The following are also space weapons: any offensive or defensive device, including its operational components, and any system of such devices, whatever the scientific principle on which its functioning is based, that is capable of intercepting, from outer space or from land, water or the atmosphere, ballistic projectiles during their flight."

The amendments to the Treaty should be complemented by a Protocol establishing appropriate verification machinery to ensure observance of the global ban on space weapons.

GE.88-63835/5583G

CONFERENCE ON DISARMAMENT

CD/852
5 August 1988

Original: ENGLISH

LETTER DATED 5 AUGUST 1988 ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT BY THE REPRESENTATIVES OF INDONESIA, MEXICO, PERU, SRI LANKA AND YUGOSLAVIA CONCERNING A PROPOSED AMENDMENT TO THE TREATY BANNING NUCLEAR WEAPONS TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER, ON THE TWENTY-FIFTH ANNIVERSARY OF ITS SIGNING

On this twenty-fifth anniversary of the signing of the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water, the undersigned, co-sponsors of the draft resolution on "Cessation of all nuclear-test explosions" which, upon approval by the General Assembly became on 30 November 1987 resolution 42/26 B, have formally submitted on behalf of our Governments to the three Depositary Governments the enclosed amendment proposal for consideration at a Conference convened for that purpose. Such amendment is intended to convert the Treaty into a comprehensive-nuclear-test ban Treaty.

We are convinced that the proposed amendment can be positively useful in our common endeavour to promote the cause of disarmament and peace. We therefore request that the text of the letter and its enclosure be reproduced as a document of the Conference.

We avail ourselves of this opportunity to renew to you the assurances of our highest consideration.

(Signed) Wisber Loeis
Ambassador, Permanent Representative
of Indonesia to the Conference on
Disarmament

(Signed) Alfonso García Robles
Ambassador, Permanent Representative
of Mexico to the Conference on
Disarmament

(Signed) Oswaldo de Rivero
Ambassador, Permanent Representative
of Peru to the Conference on
Disarmament

(Signed) H.M.G.S. Palihakkara
Deputy Head of the Delegation
of Sri Lanka to the Conference on
Disarmament

(Signed) Dimitrije Culafic
Deputy Head of the Delegation of
Yugoslavia to the Conference on
Disarmament

GE.88-63864/5659G

5 August 1988

Excellency,

As representatives of States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, we address this letter to you, as representative of one of the Depositary Governments of the Treaty. Identical letters have been submitted to the other Depositary Governments.

In accordance with Article II of the Treaty and resolution 42/26 B of the United Nations General Assembly, we formally submit on behalf of our Governments the enclosed amendment proposal for consideration at a conference of the Parties to the Treaty convened for that purpose. Would you therefore, in accordance with Article II of the Treaty, circulate copies of our amendment proposal to all the Parties and make arrangements to convene the conference as soon as one-third of the Parties so request.

We avail ourselves of this opportunity to renew to you the assurances of our highest consideration.

(Signed) Wisber Loeis
Ambassador, Permanent Representative
of Indonesia to the Conference on
Disarmament

(Signed) Alfonso García Robles
Ambassador, Permanent Representative
of Mexico to the Conference on
Disarmament

(Signed) Oswaldo de Rivero
Ambassador, Permanent Representative
of Peru to the Conference on
Disarmament

(Signed) Nihal Rodrigo
Ambassador, Permanent Representative
of Sri Lanka to the Conference on
Disarmament

(Signed) Marko Kosin
Ambassador, Permanent Representative
of Yugoslavia to the Conference on
Disarmament

H.E. Mr. Eduard A. Shevardnadze
Minister of Foreign Relations
Union of Soviet Socialist Republics

(Identical letters have been addressed to the two other Depositary Governments)

AMENDMENT PROPOSAL

The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water shall be amended by the addition of the following article and protocols:

ARTICLE VI

Protocols annexed to this Treaty constitute an integral part of the Treaty.

PROTOCOL I

States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, in order to achieve the permanent banning of all nuclear explosions, including all such explosions underground, have agreed that in addition to their undertakings in Article I of such Treaty:

1. Each of the Parties of this Protocol undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction and control;

(a) underground; or

(b) in any other environment not described in Article I, paragraph I, subparagraph (a) of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.

2. Each of the Parties to this Protocol undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described in paragraph I of this Protocol.

PROTOCOL II

(The precise provisions of this protocol are not included at this time, but will be submitted later for consideration and agreement at the conference. They will deal with all questions of verification, including in particular, the following:

- international co-operation for seismic and atmospheric data acquisition and analysis,

- installation of special seismic detection networks on the territory of the nuclear weapons States Parties to the Treaty,

- non-interference with national technical means of verification and non-use of concealment measures which impede verification by national technical means,

- on-site inspections, and

- a permanent consultative mechanism to consider questions of compliance and ambiguous situations.)

CONFERENCE ON DISARMAMENT

CD/853
8 August 1988

Original: ENGLISH

PROGRESS REPORT TO THE CONFERENCE ON DISARMAMENT ON THE TWENTY-SIXTH SESSION OF THE AD HOC GROUP OF SCIENTIFIC EXPERTS TO CONSIDER INTERNATIONAL CO-OPERATIVE MEASURES TO DETECT AND IDENTIFY SEISMIC EVENTS

1. The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, initially established in pursuance of the decision taken by the Conference of the Committee on Disarmament on 22 July 1976, held its twenty-sixth formal session from 25 July-5 August 1988 in the Palais des Nations, Geneva, under the Chairmanship of Dr. Ola Dahlman of Sweden. This was the eighteenth session of the Group convened under its new mandate by the decision of the Committee on Disarmament at its 48th meeting on 7 August 1979.

2. The Ad Hoc Group continues to be open to all member States of the Conference on Disarmament, as well as upon request to non-member States. Accordingly, scientific experts and representatives of the following member States of the Conference on Disarmament participated in the session: Argentina, Australia, Belgium, Bulgaria, Canada, China, Czechoslovakia, Egypt, German Democratic Republic, Germany, Federal Republic of, Hungary, Italy, Japan, Netherlands, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

3. At their request and on the basis of previous invitations by the Committee on Disarmament, scientific experts and representatives from the following non-member States of the Conference on Disarmament participated in the session: Austria, Denmark, Finland, New Zealand, Norway and Spain.

4. Under the current mandate of the Ad Hoc Group, information on national investigations related to the work of the Group has been presented by experts from Australia, Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Denmark, Egypt, Finland, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Islamic Republic of Iran, Italy, Japan, Netherlands, New Zealand, Norway, Peru, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

5. The Group reviewed a draft of its Fifth Report to the Conference on Disarmament, describing initial concepts for a modern international seismic data exchange system based on the expeditious exchange of waveform (Level II) and parameter (Level I) data and the processing of such data at International Data Centres (IDCs).

6. The Ad Hoc Group envisages submitting its Fifth Report to the Conference on Disarmament following the Group's next session.

7. In accordance with the decision taken at the twenty-second session and approved by the Conference on Disarmament to conduct a large-scale experiment, the Group continued its discussions on plans for such an undertaking, to be called the Group of Scientific Experts Second Technical Test (GSETT-2).

The Group confirmed that the main focus of attention will be on the exchange of seismic waveform segments (Level II data) and the analysis of those data at experimental international data centres (EIDCs).

This experiment, which will also cover signal parameters (Level I data), will be conducted using accessible channels of communication, including the WMO/Global Telecommunications System (GTS) and satellite transmission where possible.

The principal purpose of GSETT-2 should be the testing of methods and procedures developed by the Ad Hoc Group to expeditiously extract and transmit the data from stations to EIDCs, to process them at EIDCs and to transmit the results back to participants.

8. The Ad Hoc Group reaffirmed the advisability of a stage-by-stage approach in order to test proposed initial concepts for the envisaged system.

The Group agreed to start GSETT-2 on the basis of this stage-by-stage approach, as outlined in a planning document presented by the Co-ordinator (GSE/Coordinator/4/Rev.1), annexed to this progress report.

Results of these start-up activities will be reviewed at the Group's next two sessions.

With these activities, the first phase of GSETT-2 has commenced. It is now anticipated that, if all of the appropriate facilities and procedures can be put in place, the second phase of GSETT-2 will begin in late 1989 in preparation for the full-scale phase to be conducted in 1990.

9. The Ad Hoc Group asked the Co-ordinator to work out basic instructions for the second and third phases of GSETT-2 and present these to the Group at the next session. Results of the tests during the first phase will be taken into account in developing the final instructions.

10. The Ad Hoc Group suggests that its next session, subject to approval by the Conference on Disarmament, should be convened from 6-17 March 1989 in Geneva.

ANNEX

GSE/COORDINATOR/4/Rev.1

START-UP TESTS FOR GSETT-2

One outcome of the discussions of GSETT-2 on 29 July 1988 was a general agreement that it would be valuable to begin some of the start-up tests as soon as possible. The intent of these tests would be to actually implement procedures advocated by the Ad hoc Group, but never formally tested, in such a manner that participants would be as well-prepared as possible for the full-scale phase of GSETT-2. A number of countries indicated that they would participate in a number of specific start-up tests, as given below.

1. Seismograph Stations and Networks

Until a reasonably detailed specification of the "CD-station" is developed, little can be done in this area except for the provision of descriptions of those stations which will be used for GSETT-2. These descriptions, and the stations themselves, will naturally change with time, but it would seem useful to maintain as complete a description as possible of the stations which each country would plan to use during the full-scale test.

Action Item: Canada will produce, and mail to all members of the Group by 30 November, a detailed description of the stations it intends to provide during the test. This will then serve as a template for similar descriptions from other countries, provided in a standardized manner. The description will include location, geology, noise characteristics, response, etc. As the CD-station specifications are developed, it will also indicate to what extent the station provided does or does not comply with those specifications. If the description relates to a planned, rather than existing, facility, a timetable for the implementation will be provided.

2. National Data Centres (NDCs)

(a) Parameters and waveforms are to be provided for each "detected" signal. Multilateral experiments with event detection algorithms would lead to a common understanding of the term "detected".

Action Item: The "Murdock-Hutt" detector as developed by the United States Geological Survey for the Seismic Research Observatories is familiar to many members of the Group. Canada will obtain and distribute a full description of, and code (on tape) for, this algorithm, and distribute it to interested members of the Group. Each participant will implement this code and compare the results with those of the signal detector (if any) currently employed. Each country will report on experience at the next meeting of the Group. The following countries have indicated that they will take part in this study:

Australia, Bulgaria, Denmark, Finland, German Democratic Republic, Federal Republic of Germany, Hungary, Japan, New Zealand, Norway, USSR, United Kingdom.

(b) Three-component processing, and the use of its results in event association and location, has been advocated by the Group, but there has been no agreement on the method(s) to be employed and the associated errors.

Action Item: Norway will distribute a full description of, and code (on tape) for, the algorithm which it has described in a series of working papers. Each participant will implement this code and compare the results with those of the three-component processor (if any) currently employed. Each country will report on experience at the next meeting of the Group. The following countries have indicated that they will take part in this study:

Australia, Belgium, Bulgaria, Canada, Czechoslovakia, Finland, German Democratic Republic, Federal Republic of Germany, Hungary, Italy, Japan, Norway, Spain, USSR, United Kingdom.

(c) Automatic Parameter Extraction

Those countries with experience in this area (several used such techniques during the 1984 GSETT) are urged to provide the Group with details of the methods employed.

3. Communications (General)

It was agreed that the Sourcebook for Waveform Exchange (CRP 167) will continue to be an extremely valuable source of information on exchange techniques, data formats, and national facilities for data exchange. The United States agreed to continue to maintain and update the Sourcebook.

The SEED (Standard for the Exchange of Earthquake Data) format, which accommodates binary as well as character representation of data, will be described in the Sourcebook. Australia will provide all members of the Group with computer code for the data compression techniques it has described in national working papers, in order that these may be widely tested.

4. Communications (WMO/GTS)

Procedures have not yet been developed for the use of the WMO/GTS for waveform data exchange. GSE/USSR/39 contains some proposals and the Soviet Union will elaborate upon these in order that they may be tested as soon as possible.

In order to help it assess the possible impact of waveform data exchange upon the GTS, the WMO will be sending a questionnaire to those countries planning to use the GTS, concerning the connection between the NDC and the national GTS centre. The WMO will also ask some countries to carry out tests prior to the WMO sub-commission meeting to be held in February 1989. Dr. Suyehiro (Japan) will monitor these activities and report at the next session.

5. Communications (Other Means)

The Group has recommended the use of X.400 protocols (Electronic mail) for data exchange via the international packet-switched data network, but has

no experience in its use. Canada, the Federal Republic of Germany, New Zealand and Norway will carry out some tests, and Dr. Mykkeltveit (Norway) will monitor these and report at the next session.

6. International Data Centres (IDCs)

All four IDC countries have now implemented the Automatic Association (AA) program used in the 1984 GSETT. Australia and the Soviet Union will implement and test the Interactive Analysis (IA) program prepared and demonstrated to the Group by Sweden. All four countries expressed a willingness to assist in the preparation of a waveform data base to test interactive waveform analysis.

Action Item: In order to establish a waveform data base, all countries are asked to extract level I parameters for 1-3 December 1988 and send them, together with the corresponding waveform data, to Australia by the end of 1988. Australia will send all participants, within one month, a set of instructions for this activity (formats, etc). It is hoped that the considerable advance notice provided will permit maximum participation.

Action Item: Realizing that the participation in the above activity may not be optimal for parameter data analysis (AA and IA), Canada will select a portion of the GSETT data base and mail it to the four IDC countries by 30 October 1988. The IDC countries will send the results of the analysis (AA only; and after IA) back to Canada, which will report on the results at the next session. This will only test those procedures applied prior to the reconciliation process, and excluding waveform data analysis.

Each IDC country was asked to summarize the current state of their facilities, and the results were as follows:

Australia: Although this is difficult to assess because the functions and data volumes have not yet been specified, believe already have enough hardware in place. Will implement and test IA.

Sweden: Ready to participate in any co-operative developments amongst IDCs. Will assist other IDCs to implement the IA program, which can be expanded to accommodate waveform analysis.

USSR: Hardware has been specified in GSE/USSR/39. Can start testing using WMO/GTS within 2-3 months. Have tested AA; will implement and test IA.

United States of America: Will be ready for warm-up test by October 1989, as specified in GSE/Coordinator/1, and will follow other schedules in that paper. Will compare Swedish IA with United States software.

CD/854
8 August 1988

Original: ENGLISH

CONFERENCE ON DISARMAMENT

LETTER DATED 8 AUGUST 1988 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A STATEMENT BY MR. BILL HAYDEN, MP, AUSTRALIAN MINISTER FOR FOREIGN AFFAIRS AND TRADE, DATED 5 AUGUST, ON THE SUBJECT OF THE USE OF CHEMICAL WEAPONS IN THE GULF WAR

Attached to this letter is a statement by Mr. Bill Hayden, MP, Australian Minister for Foreign Affairs and Trade, dated 5 August, on the subject of the use of chemical weapons in the Gulf War.

I would be grateful if this statement could be distributed as a document of the Conference on Disarmament.

(Signed) RICHARD BUTLER, AM
Ambassador and Permanent Representative
of Australia to the United Nations for
Disarmament Matters
Head of Delegation

STATEMENT BY MR. BILL HAYDEN, MP, AUSTRALIAN MINISTER FOR FOREIGN AFFAIRS AND TRADE, ON THE USE OF CHEMICAL WEAPONS IN THE GULF WAR

The Minister for Foreign Affairs and Trade Mr. Hayden said that the Australian Government was distressed and shocked by the latest report of the United Nations Secretary-General concerning the use of chemical weapons in the Gulf War.

The report, based on an investigation by United Nations experts who visited Iraq and Iran in early July, has now been released. It concludes that "... the use of chemicals in the present conflict has been intensifying and has also become more frequent", and that "... chemical weapons continue to be used on an intensive scale against Iranian forces".

The Minister recalled that an Australian expert had participated in earlier United Nations investigations which also concluded that chemical weapons had been used in the Gulf War. Despite the repeated evidence and the condemnation of the international community, the illegal employment of these horrible weapons has continued.

Mr. Hayden repeated in the strongest terms the revulsion of the Australian community and the Australian Government at the continued use of chemical weapons. Australia had taken practical steps to ensure that our chemical industry was not associated even inadvertently with the production of these weapons.

These steps included the implementation of a régime of export controls for those chemicals that could be used to make such weapons. Mr. Hayden praised the co-operative and responsible attitude of the Australian chemical industry in this endeavour.

The Minister also said that the way to eliminate these weapons once and for all was speedily to complete the comprehensive and universal convention being negotiated in Geneva. Australia was working actively towards that end.

CONFERENCE ON DISARMAMENT

CD/855
8 August 1988

Original: ENGLISH

LETTER DATED 8 AUGUST 1988 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A STATEMENT BY THE HONOURABLE R.J.L. HAWKE, AC, PRIME MINISTER OF AUSTRALIA, MARKING THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Attached to this letter is a statement by The Honourable R.J.L. Hawke, AC, Prime Minister of Australia, marking the Twentieth Anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons.

I would be grateful if you could arrange for this statement to be distributed as a document of the Conference on Disarmament.

(Signed) Richard Butler, AM
Ambassador and Permanent
Representative of Australia
to the United Nations for
Disarmament Matters,
Head of Delegation

GE.88-63905/5718G

STATEMENT BY THE HONOURABLE R.J.L. HAWKE, AC, PRIME MINISTER OF AUSTRALIA, ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF THE OPENING FOR SIGNATURE OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

Today marks the Twentieth Anniversary of the opening for signature of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

The NPT is the basis of international efforts to prevent the spread of nuclear weapons. The Treaty makes a major contribution to international peace and security and is generally recognized as the single most effective and widely adhered to nuclear arms control agreement in existence. Australia ratified the Treaty on 23 January 1973.

Membership of the Treaty provides reassurance to the international community and neighbouring States of a nations's peaceful nuclear intentions and has become the standard for responsible international nuclear behaviour.

Australia continues to urge universal adherence to the NPT. It is my hope that the Twentieth Anniversary of its opening for signature will act as a spur to those countries which have yet to commit themselves to the Treaty.

CONFERENCE ON DISARMAMENT

CD/856 */
17 August 1988

Original: ENGLISH

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Working Paper

PAST PRODUCTION OF CHEMICAL WARFARE AGENTS IN THE UNITED KINGDOM

Introduction

1. Attention has been drawn on a number of occasions to the need for certain data to be provided on a multilateral or bilateral basis prior to the signing of the Convention. CD/828 submitted by the delegation of the Federal Republic of Germany proposed a framework for a multilateral data exchange covering inter alia the possession and production of chemical weapons.

2. It is well known that the United Kingdom abandoned its offensive chemical warfare capability some thirty years ago in the late 1950s. However, the delegation of the United Kingdom believes it may be helpful to the negotiations to present information on its past arrangements for the production of chemical warfare agents and on its experience in dismantling production facilities.

World War II production

3. From 1938 to 1942, seven Ministry of Supply factories were established at Randle, Valley, Springfields, Wade, Rocksavage, Millhouse and Roydmills. The first three were involved with the manufacture and storage of mustard gas, either HS(bis(2-chloroethyl)sulphide) of the considerably more stable and less corrosive HT (a mixture of 60 per cent HS with 40 per cent di(2-chloroethylthio)diethylether). Other agents produced included phosgene, bromobenzyl cyanide, Lewisite, diphenylamine chlorarsine, methyl dichloroarsine and ethyl iodoacetate. The Ministry of Supply Research Establishment at Sutton Oak was also concerned with operational production. In all about 60,000 tons of toxic agents were produced of which about 40,000 tons were mustard gas. This agent was destroyed or disposed of by dumping at sea in the late 1940s and early 1950s. Only small research quantities were kept.

4. The majority of these factories included facilities for charging shells, bombs, mines and spray tanks with toxic agents. At the end of the war, all the facilities became inoperative and were held on a minimum care and maintenance basis, until they were subsequently disposed of.

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*/ Re-issued for technical reasons

Post war preparation of nerve agents

5. After World War II, the only preparation of CW agents in quantity took place during the period 1954-56 at the Ministry of Supply Establishment at Nancekuke in Cornwall. Previously a Royal Air Force airfield, Nancekuke was converted in 1950 by the Ministry of Supply for use as a pilot plant to establish the feasibility of producing the nerve agent GB. Agent preparation activities were limited and no new chemical munitions or agents entered service; all activity was essentially experimental.

6. The design of the pilot plant at Nancekuke was based upon research carried out at Sutton Oak. It had a nominal production capacity of 1 ton per week. The plant was housed in special facilities designed to handle highly toxic materials. A building complex consisting of all necessary services was constructed during the period 1951-53; the plant was commissioned using a simulant during 1953 and operated only over the next two years before its closure in 1956.

7. The primary aims of the operations were to establish data for the design of a larger scale production facility (50 tons/week) on an adjacent site and to study the storage stability of the bulk agent. The larger plant was never built.

8. A total quantity of 20 tons of GB was produced, the plant being run on a 2/3 shift basis during the period January 1954 - January 1956. The storage stability was measured over a period of 10 years: from which it was deduced that the agent would have a shelf life of about 20 years. At the end of the storage trial the majority of the product was destroyed in line with the decision taken to abandon the United Kingdom's offensive CW capability. Research quantities only were kept and eventually transferred to the Chemical Defence Establishment, Porton Down. No other nerve agents were produced in other than research quantities.

9. Although an experimental weapon charging facility to handle 25 pounder shells was installed it was only trialled with simulants. No weapons were charged with GB or any other nerve agent.

10. Safety and medical aspects. It was necessary to provide adequate safety and medical procedures for the operation of the plant. These can be summarized as follows:

(a) access to the area was strictly controlled;

(b) all workers were medically examined on exit from the area and regular cholinesterase blood tests were done;

(c) respirators were carried at all times;

(d) factory clothing and protective clothing was supplied;

(e) in-house detection was provided in the operating corridors on the toxic buildings;

(f) gaseous effluent was extracted from the buildings by fans and passed through an absorption tower through which sodium hydroxide was recirculated before entering the atmosphere;

(g) liquid effluent was decontaminated and collected in a large open tank, tested, and treated further if necessary.

Closure/dismantling

11. In 1956 the Nancekuke pilot plant was filled with sodium hydroxide solution, then drained down and not used further. The site at Nancekuke was used after 1956 for a variety of tasks in connection with the United Kingdom's research programme and work on protective equipment.

12. In 1976, the decision to close the site at Nancekuke was taken and there was a need to clear it of all chemical activity and to dismantle the GB pilot plant completely. Where buildings had contained plant used in toxic or hazardous operations, the policy had always been to decontaminate that plant once its use had ended. Consequently, although plant was still in place in a number of buildings, it had received preliminary decontamination. Thus the first step in the dismantling process had been to fill the equipment as far as possible with the appropriate decontaminant, usually aqueous or alcoholic sodium hydroxide or sodium hypochlorite. After an appropriate time, the plant was drained, so that dismantling could commence.

13. After decontamination, detection equipment appropriate to the hazard was introduced into the plant cubicle to test for background contamination before any joints were broken. Once it had been shown that no hazardous material was present, personnel in full protective clothing commenced dismantling from the top downwards in each separate cubicle. As each joint was broken, the jointing materials were placed in decontaminant and the piece removed, with each open end sealed with neoprene or other suitable material, and was transferred to a large bath of decontaminant as a further safeguard. The whole operation was monitored using appropriate detection and monitoring equipment. A number of positive alarms occurred although the original decontamination had taken place more than 20 years earlier. Where the positive alarm was shown to arise from an anticholinesterase agent, personnel were withdrawn from the cubicle until the ventilation system had reduced contamination to an undetectable level which usually involved a maximum time of 1 hour; the exhaust gases from the ventilation system were scrubbed in a tower through which aqueous caustic soda flowed.

14. The components of the plant were dismantled systematically making sure that every joint which decontaminants might not have reached was properly broken and retreated. Once the plant itself had been removed, all the auxiliary services were similarly treated, particular care being taken with service lines such as vacuum. Then followed the systematic decontamination of cubicle walls prior to their removal. Lastly the walls of the building and the drains were treated with decontaminant and washed through with water. All decontamination effluent was collected and treated at source or held in effluent tanks where it was neutralized and tested before it was discharged.

15. Nineteen Governments accepted the invitation to the Committee on Disarmament to send representatives on a visit to the United Kingdom in 1979 to inspect the process of dismantling the pilot nerve agent facility. Some notes on the major tasks involved were set out in CD/15.

16. The site was finally cleared and vacated in September 1980 and has reverted to use by the Royal Air Force.

CONFERENCE ON DISARMAMENT

CD/857
12 August 1988

Original: ENGLISH

LETTER DATED 12 AUGUST 1988 ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT FROM THE CHARGE D'AFFAIRES A.I. OF NORWAY TRANSMITTING A RESEARCH REPORT ENTITLED "VERIFICATION OF A CHEMICAL WEAPONS CONVENTION. DEVELOPMENT OF PROCEDURES FOR VERIFICATION OF ALLEGED USE OF CHEMICAL WARFARE AGENTS. PART VII" */

I have the honour to transmit to you a research report entitled Verification of a Chemical Weapons Convention. Development of Procedures for Verification of Alleged Use of Chemical Warfare Agents. Part VII, published by the Royal Norwegian Ministry of Foreign Affairs.

I would appreciate if the report would be circulated as an official CD document.

(Signed) Sten Lundbo
Chargé d'affaires a.i.

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*/ A limited distribution of the document in English only has been made to the members of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Norway at Geneva.

CD/858
12 August 1988

ENGLISH
Original: FRENCH

CONFERENCE ON DISARMAMENT

LETTER DATED 10 AUGUST 1988 FROM THE PERMANENT REPRESENTATIVE OF CANADA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING VOLUME 4 OF THE COMPENDIUM OF VERBATIM STATEMENTS ON VERIFICATION MADE IN THE CONFERENCE ON DISARMAMENT DURING THE PERIOD 1985-1987 1/

I have the honour to forward to you the fourth volume of the compendium of statements on verification made in the Conference on Disarmament between 1985 and 1987. The first three volumes were distributed on 20 February 1986 (CD/670).

For ease of use, the compendium has chronological, subject and country indexes.

I would be grateful if you would kindly take the necessary steps to ensure the distribution of the compendium to the delegations to the Conference.

(Signed) de Montigny Marchand
Ambassador
Permanent Representative

1/ A limited distribution of this compendium in English only has been made to the members of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Canada in Geneva.

CONFERENCE ON DISARMAMENT

CD/859
15 August 1988

Original: ENGLISH

INDIA

Action plan for ushering in a nuclear-weapon-free and non-violent world order

1. Humanity stands at a crossroads of history. The world has lived too long under the sentence of extinction. Nuclear weapons threaten to annihilate human civilization and all that humankind has built through millennia of labour and toil. Nuclear-weapon States and non-nuclear-weapon States alike are threatened by such a holocaust. It is imperative that nuclear weapons be eliminated. The recently signed INF Treaty between the United States and the Soviet Union is a first major step in this direction. This process must be taken to its logical conclusion by ridding the world of nuclear weapons. The time has also come to consider seriously the changes in doctrines, in policies, in attitudes, and in the institutions required to usher in and manage a nuclear-weapon-free and non-violent world. Peace must be predicated on a basis other than the assurance of global destruction. We need a world order based on non-violence and peaceful coexistence. We need international institutions that will nurture such a world order.

2. We call upon the international community to urgently negotiate a binding commitment to an action plan for ushering in a non-violent world free of nuclear weapons. We suggest the following action plan as a basis for such negotiations:

2.1. STAGE I (duration: 6 years, from 1988 to 1994)

2.1.a. Nuclear disarmament:

2.1.a.i. Elimination of all Soviet and United States land-based medium- and shorter-range missiles (500 to 5,500 kilometres) in accordance with the INF Treaty.

2.1.a.ii. Agreement on a 50 per cent cut in Soviet and United States strategic arsenals (with ranges above 5,500 kilometres).

2.1.a.iii. Agreement on a phased elimination by the year 2000 A.D. of United States and Soviet short-range battlefield and air-launched nuclear weapons.

2.1.a.iv. Cessation of the production of nuclear weapons by all nuclear-weapon States.

2.1.a.v. Cessation of production of weapon-grade fissionable material by all nuclear-weapon States.

2.1.a.vi. Moratorium on the testing of nuclear weapons.

2.1.a.vii. Commencement and conclusion of negotiations on a comprehensive test-ban treaty.

2.1.b. Measures collateral to nuclear disarmament:

2.1.b.i. Conclusion of a convention to outlaw the use and threat of use of nuclear weapons pending their elimination.

2.1.b.ii. Declaration by the United States and the Soviet Union that the fissile material released under the INF Treaty would be utilized for peaceful purposes only and accordingly be subjected to supervision by the International Atomic Energy Agency.

2.1.b.iii. Declaration by all nuclear-weapon States of their stockpiles of nuclear weapons and weapon-grade fissionable material.

2.1.b.iv. Cessation of direct or indirect transfer to other States of nuclear weapons, delivery systems, and weapon-grade fissionable material.

2.1.b.v. Non-nuclear-weapon Powers to undertake not to cross the threshold into the acquisition of nuclear weapons.

2.1.b.vi. Initiation of multilateral negotiations, to be concluded by 1995, for a new treaty eliminating all nuclear weapons by the year 2010. This treaty would replace the non-proliferation Treaty, which ends in 1995.

2.1.c. Other weapons of mass destruction:

2.1.c.i. Conclusion of a treaty banning chemical weapons.

2.1.c.ii. Conclusion of a treaty banning radiological weapons.

2.1.d. Conventional forces:

2.1.d.i. Substantial reduction of NATO and Warsaw Pact conventional forces, especially offensive forces, and of weapon systems in Europe from the Atlantic to the Urals.

2.1.d.ii. Multilateral discussions in the Conference on Disarmament or in the United Nations on military doctrines with a view to working towards the goal of a purely defensive orientation for the armed forces of the world. The discussions would include measures to prevent surprise attacks.

2.1.e. Space weapon systems:

2.1.e.i. A moratorium on the testing and deployment of all space weapon systems.

2.1.e.ii. Expansion of international co-operation in the peaceful uses of outer space.

2.1.f. Control and management of the arms race based on new technologies

2.1.f.i. Arrangements for monitoring and assessing new technologies which have military applications as well as forecasting their implications for international security.

2.1.f.ii. For research in frontier areas of technology where there are potential military applications, new technology projects and technological missions should be undertaken under the auspices of the United Nations in order to direct them exclusively to civilian sectors.

2.1.f.iii. Commencement of work, under the aegis of the United Nations, for the formulation of guidelines to be observed by Governments in respect of new technologies with potential military applications.

2.1.f.iv. Commencement of negotiations for banning technological missions designed to develop new weapon systems and means of warfare.

2.1.g. Verification:

2.1.g.i. Acceptance in principle of the need to establish an integrated multilateral verification system under the aegis of the United Nations as an integral part of a strengthened multilateral framework required to ensure peace and security during the process of disarmament as well as in a nuclear-weapon-free world.

2.2. STAGE II (duration: 6 years, from 1995 to 2000)

2.2.a. Nuclear disarmament:

2.2.a.i. Completion of Stage I reductions by the United States and the Soviet Union and the induction of all other nuclear-weapon-States into the process of nuclear disarmament.

2.2.a.ii. Elimination of all medium- and short-range, sea-based, land-based and air-launched nuclear missiles by all nuclear-weapon States.

2.2.a.iii. Elimination of all tactical battlefield nuclear weapons (land, sea and air) by all nuclear-weapon States.

2.2.a.iv. Entry into force of the comprehensive test-ban treaty.

2.2.b. Measures collateral to nuclear disarmament:

2.2.b.i. Negotiations on the withdrawal of strategic nuclear weapons deployed beyond national boundaries.

2.2.b.ii. Completion of the ratification and entry into force of the convention prohibiting the use and threat of use of nuclear weapons.

2.2.b.iii. Conclusion of the new treaty eliminating all nuclear weapons by the year 2010 to replace the non-proliferation Treaty.

2.2.c. Space weapons:

2.2.c.i. Agreement within a multilateral framework on banning the testing, development, deployment and storage of all space weapons.

2.2.d. Conventional forces:

2.2.d.i. Further reduction of NATO and Warsaw Pact conventional forces to minimum defensive levels.

2.2.d.ii. Negotiations under the Conference on Disarmament on global conventional arms reduction.

2.2.d.iii. Removal of all military forces and bases from foreign territories.

2.2.e. New and emerging technologies:

2.2.e.i. Completion of negotiations on banning technological missions aimed at the development of new weapon systems.

2.2.e.ii. Completion of negotiations on guidelines in respect of new technologies with potential military applications.

2.2.f. Comprehensive global security system:

2.2.f.i. Negotiations on and establishment of a comprehensive global security system to sustain a world without nuclear weapons. This would include institutional steps to ensure the effective implementation of the provisions of the Charter of the United Nations relating to the non-use of force, the peaceful settlement of disputes, and the right of every State to pursue its own path of development.

2.2.f.ii. Arrangements for the release of resources through disarmament for development purposes.

2.2.f.iii. Elimination of non-military threats to security by such measures as the establishment of a just and equitable international economic order.

2.2.f.iv. The strengthening of the United Nations system and related multilateral forums.

2.2.f.v. The commencement of negotiations for the establishment of an integrated multilateral verification system under the United Nations.

2.3. STAGE III (duration: 10 years, from 2001 to 2010)

2.3.a. Elimination of all nuclear weapons from the world.

2.3.b. Establishment of a single integrated multilateral comprehensive verification system which, inter alia, ensures that no nuclear weapons are produced.

2.3.c. Reduction of all conventional forces to minimum defensive levels.

2.3.d. Effective implementation of arrangements to preclude the emergence of a new arms race.

2.3.e. Universal adherence to the comprehensive global security system.

3.1. There has been a historically unprecedented militarization of international relations during the last four decades. This has not only enhanced the danger of nuclear war but also militated against the emergence of the structure of peace, progress and stability envisaged in the Charter of the United Nations.

3.2. To end this dangerous militarization of international relations, we must build a structure firmly based on non-violence. It is only in a non-violent democratic world that the sovereignty of nations and the dignity of the individual can be ensured. It is only in a non-violent world that the intellectual and spiritual potential of humankind can be fully realized.

3.3. The prospect of a world free from nuclear weapons should spur us to start building a structure of international security in keeping with the fundamental changes that are taking place in the world political, economic and security environment.

3.4. In a shrinking and interdependent world, such a structure has to be comprehensive, its components supportive of each other, and participation in it universal.

3.5. A world order crafted out of outmoded concepts of the balance of power, of dominance by power blocs, of spheres of influence, and of special rights and privileges for a select group of nations is an unacceptable anachronism. It is out of tune with the democratic temper of our age.

3.6. The new structure of international relations has to be based on scrupulous adherence to the principles of peaceful coexistence and the Charter of the United Nations. It is necessary to evolve stronger and more binding mechanisms for the settlement of disputes, regional and international. The diversity among nations must be recognized and respected. The right of each nation to choose its own socio-economic system must be assured.

3.7. Concomitant changes will be called for in the international economic order. The interdependence of all the economies of the world makes for a symbiotic relationship between development in the South and stability and growth in the North. In a just and equitable order, access to technology and resources, on fair and reasonable terms, will be assured. The gap between the rich and the poor nations will be bridged.

CONFERENCE ON DISARMAMENT

CD/860
22 August 1988

ENGLISH
Original: SPANISH

LETTER DATED 16 AUGUST 1988 FROM THE PERMANENT REPRESENTATIVE OF VENEZUELA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT, TRANSMITTING THE TEXT OF A COMMUNICATION SENT BY THE MINISTER FOR FOREIGN AFFAIRS OF VENEZUELA TO THE FOREIGN MINISTERS OF THE DEPOSITARY COUNTRIES OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER, CONCERNING A PROPOSED AMENDMENT TO THE TREATY SUBMITTED JOINTLY BY THE GOVERNMENTS OF INDONESIA, MEXICO, PERU, SRI LANKA, VENEZUELA AND YUGOSLAVIA

In connection with document CD/852 of 5 August 1988, I have the honour to enclose the text of a communication sent by the Minister for Foreign Affairs of Venezuela to the Foreign Ministers of the depositary countries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, concerning a proposed amendment to the Treaty submitted jointly by the Governments of Indonesia, Mexico, Peru, Sri Lanka, Venezuela and Yugoslavia.

I would be grateful if the present letter, together with its attachments, could be distributed as an official document of the Conference on Disarmament.

(Signed) Adolfo R. Taylhardat
Ambassador
Representative of Venezuela
to the Conference on Disarmament

GE.88-64015/5993G

REPUBLIC OF VENEZUELA
MINISTRY OF FOREIGN AFFAIRS

DGSPI/DAM

SECTORAL DIRECTORATE GENERAL
FOR INTERNATIONAL POLICY
MULTILATERAL AFFAIRS

Caracas, 5 August 1988

Sir,

In my capacity as Minister for Foreign Affairs of a State party to the Treaty partially banning nuclear tests in the atmosphere, in outer space and under water, I am addressing the present communication to you in your capacity as Secretary of State of one of the depositary Governments of the Treaty. Identical communications have been sent to the other depositary Governments.

In accordance with article II of the Treaty and resolution 42/26 B of the United Nations General Assembly, I formally submit the amendment proposal on behalf of my Government for consideration at a conference of the States parties to the Treaty convened for that purpose. In that regard, I would be grateful if, in accordance with article II of the Treaty, you would circulate copies of the proposed amendment to all the parties and make the necessary arrangements to convene the conference as soon as a third of the States parties so request.

I avail myself of this opportunity to renew to you the assurances of my highest consideration.

Germán Nava Carrillo
Minister for Foreign Affairs
of the Republic of Venezuela

His Excellency
Eduard A. Shevardnadze
Minister for Foreign Affairs of the
Union of Soviet Socialist Republics
MOSCOW

(Identical letters have been sent to
the other two depositary Governments).

AMENDMENT PROPOSAL

The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water shall be amended by the addition of the following article and protocols:

ARTICLE VI

Protocols annexed to this Treaty constitute an integral part of the Treaty.

PROTOCOL I

States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, in order to achieve the permanent banning of all nuclear explosions, including all such explosions underground, have agreed that in addition to their undertakings in article I of such Treaty:

1. Each of the Parties of this Protocol undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction and control;

(a) Underground; or

(b) In any other environment not described in article I, paragraph 1, subparagraph (a) of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water.

2. Each of the Parties to this Protocol undertakes furthermore to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described in paragraph 1 of this Protocol.

PROTOCOL II

(The precise provisions of this protocol are not included at this time, but will be submitted later for consideration and agreement at the conference. They will deal with all questions of verification, including in particular, the following:

- International co-operation for seismic and atmospheric data acquisition and analysis;

- Installation of special seismic detection networks on the territory of the nuclear-weapon States parties to the Treaty;

- Non-interference with national technical means of verification and non-use of concealment measures which impede verification by national technical means;

- On-site inspections;

- A permanent consultative mechanism to consider questions of compliance and ambiguous situations.)

CONFERENCE ON DISARMAMENT

CD/861
22 August 1988

Original: ENGLISH

NORWAY

Verification of Alleged Use of Chemical Weapons

1. INTRODUCTION

Norway's research programme on verification of alleged use of chemical weapons, which was initiated in 1981 by the Ministry of Foreign Affairs, is being carried out by the Division for Environmental Toxicology of the Norwegian Defence Research Establishment at Kjeller. The research findings have been presented to the Conference on Disarmament in annual reports and working papers. In 1987, Norway was in the position of elaborating general procedures for verification of alleged use of chemical weapons (document CD/762 of 24 June 1987). These research reports and documents are contained in the publication Contributions by Norway to the Conference on Disarmament 1982-1987, published by the Norwegian Ministry of Foreign Affairs in March 1988 (document CD/813 of 7 March 1988).

In addition, and in the context of the negotiations on Article IX of the Chemical Weapons Convention, Norway has together with Canada submitted a proposal for a text for an Annex to this Article on such procedures (document CD/766 of 2 July 1987).

The Norwegian research programme is proceeding with a view both to elaborating more detailed procedures which can be used by an international inspection team and to testing and, if necessary, improving the elaborated procedures in the light of inter alia scientific and technical developments in this field. In 1987-1988, the research has been focused on elaborating procedures and data pertinent to verification of chemical warfare agents under summer conditions and on improving the technical aspects of analytical methods.

2. DEVELOPMENT OF PROCEDURES FOR VERIFICATION OF ALLEGED USE OF CHEMICAL WEAPONS IN THE CONTEXT OF A CHEMICAL WEAPONS CONVENTION

2.1 Verification of chemical warfare agents under summer conditions

The possibility of obtaining a positive verification depends on the persistence of the agent which has been used. The research programme undertaken during the winters of 1981-1982, 1982-1983, 1983-1984 and 1984-1985 clarified the persistence of several possible chemical warfare agents under winter conditions. The research in 1987-1988 has been concentrated on field experiments to obtain information about the corresponding persistence of such agents under summer conditions.

During two field exercises in October 1987 and June 1988 small amounts (1 milligram) of the nerve agents sarin, soman, tabun and VX, the blister agent mustard gas, and the production impurity of sarin, diisopropyl methylphosphonate were added to small samples of water, soil, sand and grass. The samples were left in the field, exposed to prevailing weather conditions.

During the main exercise in June 1988 the temperature varied between 20°C and 34°C during the day and between 10°C and 20°C during the night over a period of 14 days. Samples were collected after 1, 2, 4, 7 and 14 days. The samples of soil, sand and grass were extracted with water and the aqueous solutions were added to a polymer adsorbent (C-18 cartridge) to adsorb the agent. The agents were then eluted from the cartridges with chloroform, and the eluates were analysed by a gas chromatograph equipped with a multiple ion detector.

Significant amounts of tabun for analytical purposes were found in all samples. The samples taken from grass, soil, sand and water contained between 300 and 700 nanograms of tabun. This is well above the detection limit which was 10-50 nanograms. For sarin, large amounts (20 micrograms) were recovered in the water sample after 14 days. The amount detected from sand and soil was about 100 nanograms, which is well above the detection limit (1-10 nanograms). Positive verification of sarin on grass after 14 days has not yet been obtained.

The findings for soman showed that both water and soil were excellent materials for sampling. Soman was also found in all samples from grass and sand. After 14 days the amount of soman in the samples varied between 40 and 700 nanograms, whereas the detection limit was 1-10 nanograms. VX was found in all samples after 14 days. More than 100 micrograms were left in the water sample and about 1 microgram in the other samples. The detection limit for VX in such samples was 10-50 nanograms. The recovered amount of the blister agent mustard gas after exposure of 1 milligram droplet was in the nanogram range after two days, and seemed to stabilize at this level. After 14 days the amount of mustard found in the samples was between 20 and 60 nanograms, whereas the detection level was 1-10 nanograms.

More than 500 micrograms of diisopropyl methylphosphonate were detected in the samples taken from water and soil and about 50 nanograms from grass and sand. This is far above the detection limit of diisopropyl methylphosphonate.

The findings of the exercise in October 1987, which took place under somewhat cooler weather conditions (10°C), were in accordance with the reported results of the main exercise. Additional studies showed that the hydrolysis product of soman and sarin could be detected even after 4 weeks of summer conditions (ref. 2.2.2.)

2.2 Improvement of analytical prodcedures

2.2.1 Adsorbents

The use of small cartridges filled with an adsorbent for preparation of different types of samples has become common in analytical work. Several adsorbents are therefore available in this form. Since most of the warfare agents contain a non-polar alkyl chain, the best absorbent will be of a

non-polar type. Six different non-polar adsorbents were compared to select the best one. Aqueous solutions of the different agents were passed through the cartridges, and the eluates were analysed by gas chromatography.

The results of the testing of the different adsorbents applied to adsorb chemical warfare agents from aqueous solutions, showed that the long alkyl-chained adsorbents C-8 and C-18 were the best general adsorbent for screening the nerve agents sarin, soman, tabun and VX, the blister agents mustard gas, and the production impurity of sarin, diisopropyl methylphosphonate. These cartridges, containing 100 milligrams adsorbents, were the most efficient in the overall procedure, i.e. both for the adsorption of the warfare agents and in the release of agents after elution with chloroform.

C-18 was preferred to C-8 since it gave the best results with a water sample of 100 millilitres. It should be remembered that C-8 gave slightly better results with small aqueous sample volumes (10 millilitres) of soman and tabun when eluted with 2-propanol instead of chloroform. This may be required for analysis by certain gas chromatographic detectors.

2.2.2 Analysis of hydrolysed nerve agents

Previous work has underlined the importance of using the degradation products of the nerve agents as a means of verification. These products are more stable and less volatile than the agents themselves and may therefore be easier to verify. An improved method for analysing hydrolysis products of sarin and soman has been developed.

The present method is based on the use of cartridges filled with an anion exchanger to trap the hydrolysed nerve agents. The cartridges are eluted with the methylating agent trimethyl phenyl ammonium hydroxide. The eluates are injected into the gas chromatograph where the methylation takes place in the injection port and detection can be carried out on the methylated compounds. The cartridge containing an anion exchanger may be combined with a C-18 cartridge. In this way the agents themselves are adsorbed to the first cartridge and hydrolysed nerve agents may be trapped on the second cartridge. This was tested in a field exercise in which samples contaminated with sarin and soman were exposed to prevailing weather conditions for one, two and four weeks before analysis. (Temperature between 10°C and 20°C.)

Three different anion exchangers were tested, and aminopropyl and diethylaminopropyl were found to be applicable in analysis of the hydrolysed nerve agents sarin and soman. The best results were obtained with aminopropyl, which was preferred in the further work. The recoveries varied with the sample volume and were 78 per cent for hydrolysed sarin and 59 per cent for hydrolysed soman from volume of 50 millilitres. The tests showed that cartridges of 100 milligrams are sufficient to deal with aqueous samples of up to 100 millilitres.

This analytical method was applied to samples of water, grass and sand, which were contaminated with 1 milligram of sarin and 1 milligram of soman, and exposed for one, two and four weeks. In the water samples, traces of sarin and soman were detected after four weeks, together with 1 microgram of the hydrolysis products. Hydrolysis products were also found in the samples taken from grass and sand after four weeks.

3. CONCLUSIONS

The research conducted in 1987-88 comprised the first full-fledged Norwegian exercises carried out under summer conditions. In the context of a Chemical Weapons Convention it is of interest that the nerve agents sarin, soman, tabun and VX, as well as the blister agent mustard gas, could be verified in contaminated samples from water, soil, sand or grass after two weeks' exposure to summer conditions with temperatures ranging from 10°C to 34°C. In general, water and soil were the best sampling materials from a verification point of view.

The present research is an extension of previous studies on the persistence of chemical warfare agents under winter conditions (1981-1985). It is noted with satisfaction that the procedures developed for winter conditions can be directly applied to work under quite different climatic conditions as described in this working paper. Even more interesting is the fact that the persistence of trace amounts of agents (a few nanograms) needed for analysis is similar to that previously described under winter conditions.

Under winter conditions, the droplets of agents dissolve small amounts of water from the snow. This leads to significant hydrolysis caused by acid catalysis even at low temperatures. In addition, droplets on snow surface are readily evaporated. Under summer conditions trace amounts of the agents are adsorbed in material such as soil and therefore protected from evaporation or degradation. In dilute water solutions the agents are hydrolysed slowly even under summer conditions.

The search for better adsorbents to be used in the field has continued. The best of six adsorbents was a cartridge of C-18 (100 milligrams), which could adsorb all the agents investigated from an aqueous sample of 100 millilitres. This cartridge could be used in combination with an anion exchanger, aminopropyl, to adsorb the hydrolysis products of nerve agents. The hydrolysis products could then be eluted with a methylating reagent and analysed as their methylated products. The whole set-up was successfully tested with samples extracted from sand, soil, grass and water contaminated with sarin or soman. This successful experiment underlines the need for a continuous improvement of the analytical procedures in the light of the rapid scientific and technical developments.

CONFERENCE ON DISARMAMENT

CD/862
23 August 1988

Original: ENGLISH

NORWAY

Verification of a Comprehensive Nuclear Test Ban:

ESTABLISHING A GLOBAL SEISMOLOGICAL NETWORK INCORPORATING SMALL-APERTURE ARRAYS

Introduction

In a series of documents (CD/310, CD/395, CD/507, CD/599, CD/714, CD/763), Norway has since 1982 presented contributions to the work of the Conference on Disarmament on seismological verification measures for a Comprehensive Nuclear Test Ban. In particular, these documents have addressed various aspects of a future global system for international exchange of seismic data as envisaged by the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

Norway has consistently maintained that such a global system must take advantage of the rapid and ongoing technological developments in seismic instrumentation, data communication and computer systems.

Norway therefore welcomes the consensus that has now emerged within the Group of Scientific Experts that the envisaged international data exchange should fully incorporate the new possibilities opened up by modern technology to improve the efficiency of the international data exchange and to enhance significantly the quality of analysis at national and international data centres. Such a modern system, which the Group of Scientific Experts is now in the process of designing and testing, will provide rapid and high quality information on seismic events which will be of crucial importance in assisting States in their national monitoring of a comprehensive test ban.

This document specifically addresses one of the key issues in the current work of the Group of Scientific Experts, which is to develop standards for modern high-quality seismograph stations and arrays which will be deployed in an eventual global network.

In particular, the document presents initial results from a new, advanced small-aperture seismic array in Northern Norway, named ARCESS (Arctic Experimental Seismic System). This array development embodies all the concepts pioneered by the NORESS system in Southern Norway (ref. document CD/599). It represents the most recent milestone in the 20 years of seismological research co-operation between Norway and the United States, which dates back to the signing of an agreement on 15 June 1968 between the two countries.

Recent developments in seismic array technology

Seismic arrays have long been recognized as being the most powerful tools available in detecting weak seismic signals against the ever-present background of small-scale vibrations in the earth, called seismic noise. A seismic array can be described as a large antenna, comprising a number of seismic sensors arranged in a certain geometrical pattern, with all data recorded and processed together at a central facility.

A new era in seismic array technology was introduced by the establishment of NORESS (Norwegian Regional Seismic Array System) in Southern Norway during 1984-1985 (ref. document CD/599). For the first time, it was demonstrated that a small-aperture array (diameter 3 km), with densely deployed seismic sensors, could match and even surpass the event detection performance of traditional, larger arrays. The key to this remarkable result was an advanced array design particularly aimed at optimum recording and processing of seismic signals with high frequencies.

The new ARCESS array in Northern Norway

Building on the NORESS experience, a second small-aperture seismic array was established in the autumn of 1987 near the town of Karasjok in the county of Finnmark in Northern Norway. This new array, which has been named ARCESS (Arctic Experimental Seismic System), was designed to match NORESS as closely as possible, both in array geometry, instrumentation and data outputs.

ARCESS thus comprises 25 short period (SP) seismometer sites deployed in four concentric rings, with a maximum diameter of 3 km. At the array centre, a broadband seismograph system is installed, recording seismic vibrations in three directions (vertical, north-south and east-west). Four of the SP sites are also equipped with three-component sensors, the other 21 having one vertical component seismometer each. Digitization is performed at a rate of 40 times per second for short period instruments, whereas the broadband data are digitized at 10 times per second in the intermediate bank and once per second in the long period band.

Like NORESS, the ARCESS array is equipped with a High Frequency Seismic Element. This system, which records seismic vibrations in three directions (vertical, north-south, east-west) is specially designed to sense weak seismic signals at very high frequencies (up to more than 50 Hz). An advanced digitizing device produces digital data with a resolution of 24 bits, whereas most current systems are limited to 16 bits or less.

As is the case with NORESS, the key attribute of the ARCESS array is its ability to detect very weak seismic signals that are submerged in background noise. This is done by computer processing of the data with advanced algorithms. Signals from all seismometers are combined in ways that enhance the seismic signals of interest, while suppressing the noise. This is especially significant for verifying a comprehensive test ban since the ability to detect signals from low-yield explosions will be of crucial importance.

Other important features of ARCESS, similar to those of NORESS, are the automatic operation of the seismic equipment in the field, requiring only occasional visits for maintenance, the transmission of seismic information to

distant receiving stations in real time, automatic self-calibration, exceptional reliability and high quality of the data, and automated signal processing methods.

Initial results from ARCESS operation

After the first year of ARCESS operation, it can be concluded that the new array fully matches the performance of NORESS in the detection, location and phase identification of seismic events at all distances. In this time period, the automatic signal processing system has detected more than 40,000 seismic phases. The majority of these detections correspond to seismic events at local and regional distances (less than 3,000 km away), but ARCESS has also, like NORESS, shown an excellent performance in detecting seismic events in the teleseismic range (3,000-10,000 km away), using high frequency signals.

Thus, the initial ARCESS experience has demonstrated that the small-array concept first introduced by NORESS can be successfully applied in different geological environments. It must be noted that the background seismic noise field and the propagation characteristics of seismic signals show clear differences at these two array sites, which are located more than 1,000 km apart from each other. Still, the flexibility of the array design allows signal processing to be adapted to suit the special characteristics of each site.

Perspectives for multiarray processing

While each of the two arrays - NORESS and ARCESS - individually has been shown to provide excellent capabilities, the most important perspective lies in the possibilities that have now been opened up for using data from several such arrays in an integrated processing scheme (multiarray processing). Initial results from joint NORESS/ARCESS data analysis have demonstrated that these two arrays complement each other in an excellent way to provide significantly improved precision in estimating source parameters of seismic events.

At local and regional distances, initial results from such joint processing have given epicentral location estimates with an accuracy of a few tens of kilometres even for very small seismic events (magnitude 2.5). Considerable improvement would be possible if additional such array stations were deployed, with appropriate geographical spacing (about 1,000 km).

A large-scale research effort is currently under way to apply artificial intelligence techniques in developing a knowledge-based computer system for analysing data jointly recorded by NORESS and ARCESS, with possibilities of including additional such arrays as well. This advanced programme, which is being conducted by the United States with participation of Norwegian scientists, is expected to enhance significantly the capabilities for detection, locating and identifying small seismic events at local and regional distances on the basis of such array data.

In the teleseismic range, it is noteworthy that both NORESS and ARCESS have a detection capability that systematically exceeds that of traditional single seismograph stations by more than 0.5 magnitude units. Such performance has repeatedly been observed for small underground nuclear explosions from the

main Soviet and United States test sites, at distances ranging from 3,000 to 7,000 km. Even for explosions as far away as the French test site at the Mururoa atoll (distance approximately 15,000 km), NORESS and ARCESS provide significant improvements in detection capability.

Thus, a global seismic network incorporating several small arrays of the NORESS/ARCESS type would be expected to provide greatly enhanced capabilities. This applies in particular to achieving reliable analysis of small seismic events, which is of crucial importance in ensuring confidence that a comprehensive nuclear test ban treaty is complied with.

Implications for the global system

The GSE is currently in the process of developing initial technical specifications of modern prototype "CD-stations", able to collect and exchange high quality waveform data from seismic events at all distances, including arrays able to provide preliminary location data for detected events.

The NORESS/ARCESS array concept offers a possible basis for standardizing array stations within the envisaged global network. It incorporates the most recent achievements in seismology, signal processing and data communication, and thus implies the use of the most modern technology.

The NORESS/ARCESS concept includes considerable flexibility with respect to array configuration, sensor spacing and the number of array elements. The actual deployment to be selected at a potential new array site should be based on the local recording conditions, thus taking into account, inter alia, the geological environment, the characteristics of the seismic noise field and site-specific signal propagation effects. Thus, while the original NORESS geometry has been shown to give excellent results also at the ARCESS site, some adjustments in the configuration might need to be made in order to obtain optimum performance in other parts of the globe.

Conclusions

In 1986, Norway proposed (ref. document CD/714) that the global seismological network, to the extent it is practically possible, should incorporate the establishment of small-aperture seismic arrays, using the NORESS concept as a basis for standardization. The initial results from the new ARCESS array have demonstrated that the NORESS concept can be successfully applied in different geological environments. Thus the ARCESS experience reinforces the arguments used as a basis for that proposal.

Norway will continue to emphasize research efforts aimed at further exploiting the potential of small arrays in a future global network. The overall goal of this research will be to contribute to the Conference on Disarmament's Group of Scientific Experts in designing and testing a global system that, upon its future establishment, will have the highest possible capabilities in providing data for rapid and reliable detection, location and identification of seismic events world-wide. Such a system would be of crucial value in instilling confidence among all States that a comprehensive nuclear test ban treaty is adhered to.

CONFERENCE ON DISARMAMENT

CD/863
23 August 1988

Original: ENGLISH

CZECHOSLOVAKIA

Draft mandate for the Ad Hoc Committee on Item 1 "Nuclear Test Ban"

In the exercise of its responsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final document the Conference on Disarmament decides to re-establish an Ad Hoc Committee under item 1 of its agenda entitled "Nuclear Test Ban".

The Conference requests the Ad Hoc Committee to initiate, as a first step towards achieving nuclear test ban treaty, substantive work on specific and interrelated test ban issues, including structure and scope as well as verification and compliance.

Pursuant to its mandate, the Ad Hoc Committee will take into account all existing proposals and future initiatives. In addition, it will draw on the knowledge and experience that have been accumulated over the years in the consideration of a comprehensive test ban in the successive multilateral negotiating bodies and the trilateral negotiations.

The Conference also requests the Ad Hoc Committee to examine the institutional and administrative arrangements necessary for establishing, testing and operating an international seismic monitoring network as part of an effective verification system of a nuclear test ban treaty. The Ad Hoc Committee will also take into account the work of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

The Ad Hoc Committee will report to the Conference on Disarmament on the progress of its work before the conclusion of the 1988 session.

GE.88-64057

CONFERENCE ON DISARMAMENT

CD/864
29 August 1988

Original: ENGLISH

REPORT OF THE AD HOC COMMITTEE ON RADIOLOGICAL WEAPONS

I. INTRODUCTION

1. In accordance with the decision taken by the Conference on Disarmament at its 436th plenary meeting held on 2 February 1988, as contained in document CD/804, the Ad Hoc Committee on Radiological Weapons was re-established, for the duration of the 1988 session, with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. The Conference further decided that the Ad Hoc Committee would report to it on the progress of its work before the conclusion of the first part of the 1988 session, in view of the third special session of the United Nations General Assembly devoted to disarmament, and that it would also report to the Conference before the conclusion of the second part of its 1988 session.

2. Pursuant to that decision, the Ad Hoc Committee presented its special report to the Conference on Disarmament (CD/820) which contained an account of its work during the second part of the 1982 session as well as during its 1983 to 1987 sessions and the first part of its 1988 session. At its 460th plenary meeting on 26 April 1988, the Conference adopted the special report of the Ad Hoc Committee, which is an integral part of the Special Report of the Conference on Disarmament to the third special session of the United Nations General Assembly devoted to disarmament (CD/834).

II. ORGANIZATION OF WORK AND DOCUMENTATION

3. At its 439th plenary meeting on 11 February 1988, the Conference on Disarmament appointed Ambassador Tessa Solesby of the United Kingdom as Chairman of the Ad Hoc Committee. Mr. Victor Slipchenko, United Nations Department for Disarmament Affairs, continued to serve as Secretary of the Ad Hoc Committee.

4. The organization of work of the Ad Hoc Committee, as well as the documentation presented to it, are described in its special report to the Conference on Disarmament (CD/820). In addition to the work described therein, during the second part of its 1988 session, the Ad Hoc Committee held two meetings on 15 July and on 26 August 1988, and the Chairman held a number of consultations with delegations.

GE.88-64180

5. At their request, the representatives of the following States not members of the Conference on Disarmament participated in the work of the Ad Hoc Committee: Austria, Denmark, Finland, Greece, Ireland, New Zealand, Norway, Portugal, Senegal, Spain, Switzerland, Turkey and Zimbabwe.

6. In addition to various resolutions adopted by the General Assembly on the subject at its previous sessions, the Ad Hoc Committee had before it resolutions 42/38 B and F adopted by the General Assembly at its forty-second session entrusting specific responsibilities to the Conference on Disarmament on this subject.

7. In addition to the documents of previous sessions, as well as those of the first part of its 1988 session, the Ad Hoc Committee had before it the following new documents for consideration:

- CD/RW/WP.80, dated 15 July 1988, entitled "Timetable of meetings during the second part of the 1988 session"

- CD/RW/WP.81, dated 22 August 1988, entitled "Report of Contact Group A"

- CD/RW/WP.82, dated 15 August 1988, entitled "Report of Contact Group B".

III. WORK DURING THE 1988 SESSION

8. As mentioned above, the work carried out by the Ad Hoc Committee during the first part of the 1988 session is described in its special report to the Conference on Disarmament (CD/820).

9. At its fifth meeting on 15 July 1988, the Ad Hoc Committee decided to maintain the same method of work as was agreed at the beginning of the 1988 session, i.e., that contact group A would continue to consider issues relevant to the prohibition of radiological weapons in the "traditional" sense and contact group B would continue to consider issues relevant to the prohibition of attacks against nuclear facilities. Mr. Hadi Wayarabi of Indonesia and Mr. Csaba Györffy of Hungary continued to assist the Chair by serving as co-ordinators of the contact groups A and B, respectively.

10. At the same meeting, the Ad Hoc Committee took note of the letter addressed to the Secretary-General of the Conference on Disarmament by the IAEA Secretariat, conveying the Agency's readiness to provide technical assistance to the Conference in its work relating to the prohibition of armed attacks against nuclear installations, and agreed to keep the matter under review for its future work. At its sixth meeting on 26 August 1988, the Ad Hoc Committee took note of the reply, reflecting this position, sent by the Secretary-General to the IAEA Secretariat.

11. Following the work conducted within the contact groups, both formally and informally, the two co-ordinators presented to the Ad Hoc Committee, at its sixth meeting on 26 August 1988, their respective reports (CD/RW/WP.81 and 82) which are reproduced in Annexes I and II to this report, reflecting the current state of the consideration of the issues before the Ad Hoc Committee. It is understood that the contents of the Annexes are not binding on any delegation.

IV. CONCLUSIONS AND RECOMMENDATIONS

12. The work conducted by the Ad Hoc Committee during its 1988 session was useful in contributing further to the clarification of different approaches which continue to exist with regard to both the important subjects under consideration. It is recommended that the Conference on Disarmament should re-establish the Ad Hoc Committee on Radiological Weapons at the beginning of its 1989 session and that the Ad Hoc Committee should draw upon the Annexes to this report as a basis for its future work.

ANNEX I

Report of Contact Group A

1. In accordance with the decision taken by the Ad Hoc Committee on Radiological Weapons at its fifth meeting, on 15 July 1988, Contact Group A continued its consideration of the issues relevant to the prohibition of radiological weapons.

2. Contact Group A held three meetings from 25 July to 22 August 1988. In addition, the Co-ordinator held a number of informal consultations with delegations.

3. As was agreed at the fifth meeting of the Ad Hoc Committee, Contact Group A reviewed the Co-ordinator's record as contained in the Attachment to Annex I to the Special Report of the Ad Hoc Committee to the Conference on Disarmament (CD/820). Some new proposals were made in connection with the Attachment, which contributed to further clarification and elaboration of the positions held by various delegations on the issue.

4. The amended Co-ordinator's record is attached to the report, reflecting the current stage of the Contact Group's consideration.

5. The Co-ordinator's record is not binding upon any delegation and does not preclude any delegation from introducing proposals or alternatives to the text as a whole or the elements thereof, at a later stage. It is recommended that it be appended to the Ad Hoc Committee's report to the Conference on Disarmament, as a basis for future work.

Attachment

POSSIBLE ELEMENTS FOR A CONVENTION ON THE PROHIBITION OF RADIOLOGICAL WEAPONS */

SCOPE

First alternative

1. Each State Party to this Treaty undertakes never under any circumstances to develop, produce, stockpile, otherwise acquire or possess, transfer or use radiological weapons.

2. Each State Party to this Treaty also undertakes never under any circumstances to employ deliberately, by its dissemination, any radioactive material, not defined as a radiological weapon in ... of this Treaty to cause destruction, damage, or injury by means of the radiation produced by the decay of such material.

3. Each State Party to this Treaty also undertakes not in any way to assist, encourage, or induce any person, State, group of States, or international organization to engage in any of the activities which the States Parties to the Treaty have undertaken not to engage in under the provisions of paragraphs 1 and 2 of this Article.

4. Each State Party to this Treaty undertakes, in accordance with its constitutional procedures, to take any measures which it considers necessary anywhere under its jurisdiction or control:

(a) to prohibit and prevent any of the activities which for a State Party would constitute a violation of the obligations undertaken by the State Parties under this Treaty;

(b) to prohibit and prevent diversion to radiological weapons, or to the employment prohibited by paragraph 2 of this Article, of radioactive materials that might be used for such weapons or employment;

(c) to prevent loss of radioactive materials that might be used for such weapons or employment.

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*/ These elements are not intended to prejudice the eventual positions of delegations regarding the question of "linkage".

5.*/ Nothing in paragraph 4 above shall be interpreted as requiring or permitting a State Party to take measures which could affect the programmes of other States for the use 1/ of nuclear energy or technology for their economic or social development. 2/ 3/

Second alternative

1. Each State Party to this Treaty undertakes never under any circumstances to employ deliberately, by its dissemination, any radioactive material to cause destruction, damage or injury by means of the radiation produced by the decay of such material.

2. Each State Party also undertakes not in any way to assist, encourage, or induce anyone to engage in the employment of radioactive material prohibited by paragraph 1.

3. Each State Party also undertakes to take any measures which it considers necessary:

(a) to prohibit and prevent the employment of radioactive material prohibited by paragraph 1;

(b) to prohibit and prevent diversion to the employment prohibited by paragraph 1 of radioactive materials that might be used for such employment;

(c) to prevent loss of radioactive materials that might be used for such employment.

4.*/ Nothing in paragraph 3 above shall be interpreted as requiring or permitting a State Party to take measures which could affect the programmes of other States for the use 1/ of nuclear energy or technology for their economic or social development. 2/ 3/

Third alternative

1. Each State Party to this Treaty undertakes never under any circumstances to develop, produce, stockpile, otherwise acquire or possess, transfer or use radiological weapons.

2. Each State Party to this Treaty also undertakes never under any circumstances to employ deliberately, by its dissemination, any radioactive material, not defined as a radiological weapon in ... of this Treaty to cause destruction, damage, or injury by means of the radiation produced by the decay of such material.

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*/ Some delegations expressed the view that consideration should be given to whether the concerns reflected in this paragraph should be addressed under the draft element "Peaceful Uses".

1/ Some delegations suggested that the word "peaceful" be inserted before the word "use".

2/ One delegation suggested the addition at the end of the paragraph of "in conformity with their priorities, interests and needs."

3/ A view was expressed that this commitment should provide for the fulfilment of nuclear safety conditions.

3. Each State Party to this Treaty also undertakes never under any circumstances to dump radioactive wastes in the territory of another State for hostile purposes or in armed conflict. 1/

4. Each State Party to this Treaty also undertakes not in any way to assist, encourage, or induce any person, State, group of States, or international organization to engage in any of the activities which the States Parties to the Treaty have undertaken not to engage in under the provisions of paragraphs 1 and 2 of this Article.

5. Each State Party to this Treaty undertakes, in accordance with its constitutional procedures, to take any measures which it considers necessary anywhere under its jurisdiction or control:

(a) to prohibit and prevent any of the activities which for a State Party would constitute a violation of the obligations undertaken by the State Parties under this Treaty;

(b) to prohibit and prevent diversion to radiological weapons, or to the employment prohibited by paragraph 2 of this Article, of radioactive materials that might be used for such weapons or employment;

(c) to prevent loss of radioactive materials that might be used for such weapons or employment.

6.*/ Nothing in paragraph 5 above shall be interpreted as requiring or permitting a State Party to take measures which could affect the programmes of other States for the use 2/ of nuclear energy or technology for their economic or social development. 3/ 4/

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*/ Some delegations expressed the view that consideration should be given to whether the concerns reflected in this paragraph should be addressed under the draft element "Peaceful Uses".

1/ Views were expressed that the provisions contained in this paragraph were already covered in paragraph 2 above as well as in paragraph 1 of the second alternative.

2/ Some delegations suggested that the word "peaceful" be inserted before the word "use".

3/ One delegation suggested the addition at the end of the paragraph of "in conformity with their priorities, interests and needs."

4/ A view was expressed that this commitment should provide for the fulfilment of nuclear safety conditions.

DEFINITIONS */

For the purposes of this Treaty:

The term "radiological weapon" means **/, ***/, ****/, *****/:

First alternative

(i) Any device, including any weapon or equipment, specifically designed to employ radioactive material by disseminating it to cause destruction, damage, or injury by means of the radiation produced by the decay of such material;

(ii) Any radioactive material specifically configured 1/ for employment, by its dissemination, to cause destruction, damage, or injury by means of the radiation produced by the decay of such material.

Second alternative

Any device, including any weapon or equipment, specifically designed to employ radioactive material to cause destruction, damage, or injury by means of the radiation produced by the decay of such material.

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*/ A view was expressed that the second alternative of "Scope" did not require any "definitions".

**/ A view was expressed that, for the purposes of this Treaty, it might be necessary to clarify what is meant by "radioactive materials".

***/ A view was expressed that the term "radiological weapons" might include the so-called particle beam weapons which give ionizing radiation in other ways than through radioactive decay.

****/ Some delegations expressed the view that "particle beam weapons" should not be treated as radiological weapons, that the definition of radiological weapons as contained in CD/31 and CD/32 is based on the decay of nuclear material, whereas directed energy devices produce particle beams without nuclear involvement, that known concepts of directed energy devices do not employ the radiation spectrum of radiological weapons but make use of protons and electrons while radiological weapons would exploit mainly gamma- and neutron-radiation as well as beta- and short ranging alpha-radiation, and that therefore, the development, production, stockpiling, acquisition or possession, transfer or use of directed energy devices is compatible with this Treaty.

*****/ Some delegations expressed the view that nothing in this Treaty shall be interpreted as in any way legitimizing the development, production, stockpiling, acquisition or possession, transfer or use of directed energy weapons.

1/ Some delegations preferred "prepared" or "designed" to "configured".

PEACEFUL USES

1. First alternative

Nothing in this Treaty should be interpreted 1/ as affecting in any way the full exercise of the inalienable rights of all States Parties to apply and develop their programmes for the peaceful 2/ uses of nuclear energy for economic and social development in conformity with their priorities, interests and needs. 3/

Second alternative

Nothing in this Treaty should be interpreted 1/ as affecting in any way the full exercise of the inalienable rights of all States Parties to apply and develop their programmes for the peaceful 2/ uses of nuclear energy for economic and social development in conformity with their priorities, interests and needs, and in accordance with mutually acceptable non-proliferation conditions.

Third alternative

Nothing in this Treaty should be interpreted as affecting the inalienable rights of the States Parties to this Treaty to develop and apply their programmes for the peaceful uses of nuclear energy for economic and social development, consistent with the need to prevent the proliferation of nuclear weapons, 4/ in conformity with their priorities, interests and needs.

2. First alternative

Each State Party undertakes to contribute 5/ to the strengthening of international co-operation in the peaceful uses of nuclear energy in conformity with 6/ the needs of developing countries. 3/

Second alternative

Each State Party undertakes to promote co-operation in the peaceful uses of nuclear energy in conformity with 6/ the needs of developing countries.

1/ A suggestion was made to insert "or implemented" after "interpreted".

2/ Some delegations suggested the deletion of "peaceful".

3/ A view was expressed that, in order to strike an inner balance conducive to consensus, there should be an addition reflecting the last sentence of paragraph 68 of the Final Document of SSOD I.

4/ Some delegations suggested "under international agreements" instead of ", consistent with the need to prevent the proliferation of nuclear weapons".

5/ Some delegations suggested the insertion of "to the fullest possible extent" after "contribute".

6/ A preference was expressed for "taking into account" instead of "in conformity with".

3. Each State Party undertakes to contribute to the fullest possible extent 1/ to the development of adequate measures of protection for all States against the harmful effects of radiation.

CESSATION OF THE NUCLEAR ARMS RACE AND NUCLEAR DISARMAMENT

1. The State Parties to this Treaty undertake to pursue urgently negotiations for the cessation of the nuclear arms race, the conclusion of effective measures to prevent the use or threat of use of nuclear weapons, and the achievement of nuclear disarmament. 2/

2. The implementation of these obligations should be periodically reviewed as provided for in Article 3/ 4/

OTHER MAIN ELEMENTS

1. The provisions of this Treaty shall not apply to nuclear explosive devices or to radioactive material produced by them. 5/

2. Nothing in this Treaty shall be interpreted as in any way legitimizing the use of nuclear weapons or detracting from the obligation of States to refrain from the use or threat of use of such weapons. 5/

3. First alternative

Nothing in this Treaty shall be interpreted as in any way limiting or detracting from existing rules of international law applicable in armed conflict or limiting or detracting from obligations assumed by the States Parties under any other international agreement.

Second alternative

Nothing in this Treaty shall be interpreted as in any way limiting or detracting from existing rules of international law applicable in armed conflict or limiting or detracting from obligations assumed by the States Parties under any other international agreement, consistent with the need to prevent the proliferation 6/ of nuclear weapons and the need to achieve urgent measures of nuclear disarmament.

1/ Some delegations suggested the insertion of "and in accordance with international undertakings" after "contribute to the fullest possible extent".

2/ Some delegations were of the view that such an undertaking was outside the purview of this Treaty.

3/ Questions were raised concerning the need for this paragraph.

4/ One delegation reserved its right to submit a proposal related to review conferences.

5/ Objections were raised concerning this paragraph.

6/ Some delegations preferred "vertical, horizontal and geographic proliferation" to "proliferation".

VERIFICATION AND COMPLIANCE */

First alternative

First Element

1. The States Parties to this Treaty undertake to consult one another and to co-operate in solving any problems which may be raised in relation to the objectives of, or in the application of the provisions of, the Treaty.

2. Consultation and co-operation pursuant to this article may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a consultative committee and a fact-finding panel as provided for in article ... of this Treaty.

3. The States Parties to this Treaty shall exchange to the fullest possible extent, bilaterally or multilaterally, information deemed necessary to provide assurance of fulfilment of their obligations under the Treaty.

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*/ Some delegations were of the view that the subject needs further consideration and reserved their right to express their view at a later stage.

Second Element

1. For the purpose of effective fulfilment of paragraph 2 of the previous article of this Treaty, a consultative committee and a standing fact-finding panel shall be established. Their functions and rules of procedure are established in Annexes I and II, respectively, which constitute integral parts of the Treaty.

2. Any State Party to this Treaty which has reasons to believe that any other State Party may not be in compliance with the provisions of the Treaty, or which has concerns about a related situation which may be considered ambiguous, and is not satisfied with the results of the consultations provided for under the previous article of the Treaty, may request the Depositary to initiate an inquiry to ascertain the facts. Such a request should include all relevant information, as well as all possible evidence supporting its validity.

3. For the purposes set forth in paragraph 2 of this article, the Depositary shall convene as soon as possible, and in any case within 10 days of the receipt of a request from any State Party, the standing fact-finding panel established pursuant to paragraph 1 of this article.

4. If the possibilities for fact-finding pursuant to paragraphs 2 and 3 of this article have been exhausted without resolution of the problem, [five or more States Parties] [any State Party] may request the Depositary to convene a meeting of the consultative committee of States Parties to consider the matter.

5. Each State Party to this Treaty undertakes to co-operate to the fullest possible extent with the consultative committee and with the fact-finding panel with a view to facilitating their work.

[6. Each State Party to this Treaty undertakes to provide assistance, in accordance with the provisions of the Charter of the United Nations, to any State Party to the Treaty which has been harmed or is likely to be harmed as a result of violation of the Treaty.]

[7. The provisions of this article shall not be interpreted as affecting the rights and duties of States Parties under the Charter of the United Nations, including bringing to the attention of the Security Council concerns about compliance with this Treaty.]

ANNEX I to Second Element

[Consultative Committee]

1. The consultative committee of States Parties [, in addition to establishing the fact-finding panel as provided for in annex II,] shall undertake to resolve any problem which may be raised by the [States Parties] [State Party] requesting a meeting of the committee. For this purpose, the assembled States Parties shall be entitled to request and receive any information which a State Party is in a position to communicate.

2. The work of the consultative committee shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this annex. The committee shall [decide procedural questions relative to the organization of its work] [take decisions], where possible by consensus, but otherwise by a majority of those present and voting. [There shall be no voting on matters of substance.] The chairman shall have no vote.

3. Any State Party may participate in the work of the consultative committee. Each representative on the commitee may be assisted at meetings by advisers.

4. The Depositary or his representative shall serve as chairman of the committee.

5. The consultative committee shall be convened by its chairman[:

(a) within 30 days after entry into force of this Treaty for the purpose of establishing the standing fact-finding panel;

(b)] as soon as possible and in any case within 30 days after a request for a meeting pursuant to paragraph 4 of the second element.

6. Each State Party shall have the right, through the chairman, to request from States and from international organizations such information and assistance as the State Party considers desirable for the accomplishment of the committee's work.

7. A summary of any [problem-solving] meeting, incorporating all views and information presented during the meeting, shall be prepared. The chairman shall distribute the summary to all States Parties.

ANNEX II to Second Element

[Fact-Finding Panel]

1. The standing fact-finding panel shall undertake to make appropriate findings of fact and provide expert views relevant to any problem referred to it by the Depositary pursuant to paragraph 3 of the second element. [Pursuant to paragraph 5 of the second element, the fact-finding panel may carry out on-site investigations when necessary.]

[2. The fact-finding panel shall be composed of not more than 15 members representing States Parties:

(a) Ten members shall be appointed by the [chairman] [consultative committee] after consultation with States Parties. In selecting these members due regard shall be given to ensuring an appropriate geographical balance. Members shall be named for a two-year period, with five members being replaced each year;

(b) In addition, those permanent members of the United Nations Security Council who are parties to the Treaty shall also be represented on the fact-finding panel.]

[2. The fact-finding panel shall be composed of not more than (blank) members representing States Parties. Members of the initial panel shall be appointed by the [chairman, after consultation with States Parties,] [consultative committee] at its first meeting, one-third being named for one year, one-third for two years, and one-third for three years. Thereafter all members shall be named for a three-year period by the chairman [of the consultative committee, following principles decided by the committee during its first meeting and] after consultation with States Parties, In selecting the members, due regard shall be given to ensuring an appropriate geographical balance.]

3. Each member may be assisted by one or more advisers.

4. The Depositary or his representative shall serve as chairman of the panel[, unless the panel decides otherwise under the procedures established in paragraph 5 of this annex].

5. The work of the fact-finding panel shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this annex. [At the first meeting of the panel, to be held not later than 60 days after its establishment [by the consultative committee], the Depositary shall submit recommendations, based on consultations with States Parties and signatories, as to the organization of the work of the panel, including any necesaary resources.] [The panel shall decide procedural questions relative to the organization of its work, where possible by consensus, but otherwise by a majority of those present and voting. There shall be no voting on matters of substance.] [The panel shall take decisions, where possible by consensus, but otherwise by a majority of those present and voting.] The chairman shall have no vote.

6. Each member shall have the right, through the chairman, to request from States and from international organizations such information and assistance as the member considers desirable for the accomplishment of the work of the panel.

7. The State Party requesting the inquiry and any State Party against which the inquiry is directed shall have the right to [participate in the work of the panel] [be represented at meetings but may not take part in decisions], whether or not they are members of the panel.

8. The fact-finding panel shall, without delay, transmit to [the Depositary] [all States Parties] a report on its work, including its findings of fact and incorporating all views and information presented to the panel during its proceedings[.] [, together with such recommendations as it may deem appropriate. If the panel is unable to secure sufficient data for factual findings, it shall state the reasons for that inability.] [The Depositary shall distribute the report to all States Parties.]

Second alternative */

1. The States Parties to the Treaty undertake to consult one another and to co-operate in solving any problems which may arise in relation to the objectives of, or in the application of the provisions of, the Treaty. Consultation and co-operation pursuant to this paragraph may also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures may include the services of appropriate international organizations, as well as of a Consultative Committee of Experts as provided for in paragraph 2 of this Article.

2. For the purposes set forth in paragraph 1 of this Article, the Depositary shall, within one month of the receipt of a request from any State Party, convene a Consultative Committee of Experts. Any State Party may appoint an expert to this Committee, whose functions and rules of procedure are set out in the Annex, which constitutes an integral part of the Treaty. The Committee shall transmit to the Depositary a summary of its findings of fact, incorporating all views and information presented to the Committee during its proceedings. The Depositary shall distribute the summary to all States Parties.

3. Any State Party to the Treaty which has reasons to believe that any other State Party is acting in breach of obligations deriving from the provisions of the Treaty may lodge a complaint with the Depositary, who shall immediately convene a Consultative Committee of Experts. Such a complaint should include all relevant information as well as all possible evidence supporting its validity.

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*/ A view was expressed that the second alternative of Verification and Compliance should be read in conjunction with the second alternative of Scope based on the criterion of prohibition of use of methods of radiological warfare.

4. Any State Party to the Treaty undertakes to co-operate in carrying out any investigation which the Consultative Committee of Experts may initiate, in accordance with the provisions of the Charter of the United Nations, on the basis of the complaint received by the Depositary. The Consultative Committee of Experts shall inform the States Parties to the Treaty of the results of the investigation.

5. Each State Party to the Treaty undertakes to provide or support assistance, in accordance with the provisions of the Charter of the United Nations, to any Party to the Treaty which so requests, if the Consultative Committee of Experts decides that such Party has been harmed or is likely to be harmed as a result of violation of the Treaty.

ANNEX

1. The Consultative Committee of Experts shall undertake to make appropriate findings of fact and provide expert views relevant to any problem raised pursuant to Article ... of the Treaty by the State Party requesting the convening of the Committee.

2. The work of the Consultative Committee of Experts shall be organized in such a way as to permit it to perform the functions set forth in paragraph 1 of this Annex. The Committee shall decide procedural questions relative to the organization of its work, where possible by consensus, but otherwise by a majority of those present and voting. There shall be no voting on matters of substance.

3. The Depositary or his representative shall serve as the Chairman of the Committee.

4. Each expert may be assisted at meetings by one or more advisers.

5. Each expert shall have the right, through the Chairman, to request from States, and from international organizations, such information and assistance as the expert considers desirable for the accomplishment of the Committee's work.

ANNEX II

Report of Contact Group B

1. In accordance with the decision taken by the Ad Hoc Committee on Radiological Weapons at its fifth meeting, on 15 July 1988, Contact Group B continued its consideration of the issues relevant to the prohibition of attacks against nuclear facilities.

2. Contact Group B held three meetings from 18 July to 15 August 1988. In addition, the Co-ordinator held a number of informal consultations with delegations.

3. As was agreed at the fifth meeting of the Ad Hoc Committee, Contact Group B reviewed the Co-ordinator's record as contained in the Attachment to Annex II to the Special Report of the Ad Hoc Committee to the Conference on Disarmament (CD/820). Some new proposals were made in connection with the Attachment, which contributed to further clarification and elaboration of the positions held by various delegations on the issue.

4. The amended Co-ordinator's record is attached to the report, reflecting the current stage of the Contact Group's consideration.

5. The Co-ordinator's record is not binding upon any delegation and its main purpose is to facilitate future consideration. It is recommended that it be appended to the Ad Hoc Committee's report to the Conference on Disarmament, as a basis for future work.

Attachment

POSSIBLE ELEMENTS RELEVANT TO THE PROHIBITION OF ATTACKS AGAINST NUCLEAR FACILITIES */ **/

SCOPE (Purpose)

Paragraph 1 ***/ ****/

First alternative

Each State Party undertakes never under any circumstances to attack nuclear facilities covered by the provisions of this Treaty.

Second alternative

Each State Party undertakes never under any circumstances to attack any nuclear facility.

Third alternative *****/ ******/

Each State Party undertakes never under any circumstances to release and disseminate radioactive substances by attacking nuclear facilities covered by the provisions of this Treaty.

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*/ This record does not prejudice the eventual positions of delegations relating to the question of "linkage", or the positions of delegations on the question of the need of having additional legal protection for nuclear facilities. As to the latter, a view was expressed that additional discussion on existing international agreements pertaining to the question is needed.

**/ The placement of the various alternatives in the text should not be regarded as indication of priority or the degree of their acceptability to the Committee.

***/ Some delegations suggested that the Scope should also cover an undertaking not to threaten to attack nuclear facilities.

****/ One delegation suggested that any of the alternatives of paragraph 1 of Scope should be read in conjunction with the second alternative of paragraph 2 of Definitions and the second alternative of Criteria.

*****/ Some delegations stated that the third alternative of Scope based on the criterion of mass destruction read in conjunction with the first alternative of paragraph 2 (Definitions), the first alternative of Criteria, the first alternative of paragraphs 1 to 6 (Register) as well as paragraph 1 and the second alternative of paragraph 2 (Special Marking) constitute one complete and consistent set of elements to be included in a draft Treaty.

******/ Other delegations pointed out that the criterion of "mass destruction", on which the third alternative of Scope was based, was irrelevant to the purpose of the proposed Treaty. They also stated that besides other flaws, it would amount to legitimizing attacks on nuclear facilities which did not fulfil the arbitrarily defined specifications proposed by the authors of this criterion for such facilities to qualify for protection. A Treaty based on elements mentioned in the previous footnote would, therefore, be discriminatory against developing countries as their

Fourth alternative

Each State Party undertakes never under any circumstances to attack nuclear facilities subject to the specifications of this Treaty.

Paragraph 2

First alternative

Each State Party undertakes not in any way to assist, encourage or induce any person, State, group of States, or international organization to engage in any activity which the State Parties to the Treaty have undertaken not to engage in.

Second alternative

Each State Party undertakes not in any way to assist, encourage or induce anyone to attack nuclear facilities.

DEFINITIONS

Paragraph 1 */ **/

For the purposes of this Treaty, the term "attack" means any act which causes, directly or indirectly:

(i) any damage to, or the destruction of, a nuclear facility; or

(ii) any interference, interruption, impediment, stoppage or breakdown in the operation of a nuclear facility; or

(iii) any injury to, or the death of, any of the personnel of a nuclear facility.

---

nuclear facilities, in many cases, did not come up to the proposed "threshold". Furthermore, such a Treaty would weaken the protection afforded to nuclear facilities under present international law which was not conditional upon their meeting any quantitative specifications. Consequently, such a Treaty would defeat the main purpose of concluding a new international agreement on this subject, which is to strengthen the present legal régime in this regard and to remove existing loopholes.

*/ Some delegations did not see the need for any definition of the word "attack". In their view, the definition is clearly linked to the unlimited scope of paragraph 1 of Scope.

**/ Other delegations were of the view that it would be necessary to define the word "attack" whichever alternative on Scope was eventually adopted.

Paragraph 2

First alternative

For the purpose of this Treaty, the term "nuclear facilities" means:

(i) Nuclear reactors;

(ii) Intermediate spent fuel storages;

(iii) Reprocessing plants;

(iv) Waste deposits; */ **/

which are included in a Register maintained by the Depositary. ***/

Second alternative

For the purpose of this Treaty, the term "nuclear facilities" means:

(i) Nuclear reactors;

(ii) Enrichment plants;

(iii) Reprocessing plants;

(iv) Other nuclear fuel cycle facilities;

(v) Radioactive waste management facilities; and

(vi) Facilities for the storage of nuclear fuels or radioactive wastes.

Third alternative

For the purpose of this Treaty, the term "nuclear facilities" means:

(i) Nuclear reactors;

(ii) Intermediate spent fuel storages;

(iii) Reprocessing plants;

---

*/ Some delegations were of the view that this covers only intermediate waste deposits above ground.

**/ Some delegations suggested that since waste deposits generally mean those buried deep underground, only interim waste deposits above ground should be included.

***/ Some delegations opposed the idea of limiting the scope of the Treaty to nuclear facilities included in a Register.

(iv) Waste deposits;

(v) Temporary waste storages; and

(vi) Installations for production of intensive sources of radiation.

Fourth alternative

A nuclear facility means a nuclear reactor or any other facility for the production, handling, treatment, processing or storage of nuclear fuel or other nuclear material.

CRITERIA */ **/

First alternative

The nuclear facilities mentioned in paragraph 2 of Definitions shall meet the following specifications:

(i) They shall be stationary on land; ***/ ****/

(ii) Nuclear reactors shall be designed for a thermal power which could exceed 1 [10] Megawatt, shall have reached their first criticality and shall not have been decommissioned; *****/

(iii) Intermediate spent fuel storages shall be designed for storing radioactive material exceeding 10^{17} [10^{18}] Bq;

(iv) Reprocessing plants shall be designed for containing radioactive material exceeding 10^{17} [10^{18}] Bq;

(v) Waste deposits shall contain radioactive material exceeding 10^{17} [10^{18}] Bq.

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*/ A view was expressed that should the second alternative of paragraph 1 of the Scope be agreed upon, the consideration of "criteria" was needed only to specify exceptions.

**/ Reservations were expressed as to the applicability of specifying power threshold for nuclear reactors and level of quality and quantity of radioactive materials for other facilities as mentioned in sub-paragraphs (iii), (iv), (v) and (vi) of first and second alternatives.

***/ Regarding (i) in first and second alternatives, a view was expressed that nuclear facilities other than those stationary on land should also be covered.

****/ A view was expressed that such nuclear facilities should not belong to weapons systems.

*****/ A view was expressed that the aspect of decommissioning has to be studied further.

Second alternative

The nuclear facilities mentioned in paragraph 2 of Definitions shall meet the following specifications:

(i) They shall be stationary on land;

(ii) They shall be used for peaceful purposes and subject to IAEA safeguards;

(iii) Nuclear reactors shall be designed for a thermal power which could exceed 1 [10] Megawatt, shall have reached their first criticality and shall not have been decommissioned;

(iv) Intermediate spent fuel storages shall be designed for storing radioactive material exceeding 10^{17} [10^{18}] Bq;

(v) Reprocessing plants shall be designed for containing radioactive material exceeding 10^{17} [10^{18}] Bq;

(vi) Waste deposits shall contain radioactive material exceeding 10^{17} [10^{18}] Bq.

Third alternative

The nuclear facilities mentioned in paragraph 2 of Definitions shall meet the following specifications:

(i) Nuclear reactors designed for a thermal effect which could exceed 10 MW;

(ii) Intermediate spent fuel storages designed for storing radioactive material exceeding 10^{17} [10^{18}] Bq;

(iii) Installations for reprocessing of nuclear spent fuel;

(iv) Installations for production or use of substantial sources of gamma radiation designed to contain radioactive material whose gamma-radiation-dissipated power is equal to or greater than 6×10^{17} [10^{18}] Bq.Mev;

(v) Nuclear fuel cycle waste deposits which contain radioactive material exceeding 10^{17} [10^{18}] Bq.

Fourth alternative

The provisions of paragraph 1 of Scope shall not apply to:

(i) Nuclear reactors other than those which are stationary on land;

(ii) Military nuclear facilities of nuclear weapon States.

Additional specification suggested to the above specifications */

The nuclear facilities mentioned in paragraph 2 of Definitions which are under the safeguards of the International Atomic Energy Agency are covered by the provisions of this Treaty.

---

*/ This refers either to the first, second or third alternative of Criteria. A view was expressed that the first, second or third alternative should become paragraph 1 of Criteria and this additional specification should become paragraph 2.

DEPOSITARY

The Depositary shall be the Secretary-General of the United Nations.

REGISTER */ **/

Paragraph 1

First alternative

The Depositary shall maintain a Register of nuclear facilities covered by the provisions of this Treaty and shall transmit certified copies thereof to each State Party to the Treaty.

Second alternative

The Depositary shall maintain a Register of nuclear facilities subject to the specifications of this Treaty and shall transmit certified copies thereof to each State Party to the Treaty.

Paragraph 2

First alternative

State Parties requesting that nuclear facilities under their jurisdiction be included in the Register shall for each such facility communicate to the Depositary the following written information:

(a) Details on the exact geographical location of the nuclear facility;

(b) Identification of the type of nuclear facility, i.e. if it is a reactor, intermediate spent fuel storage, reprocessing plant or waste deposit;

(c) Detailed specifications as applicable in accordance with Paragraph ... (Definition) and Paragraph ... (Criteria) of this Treaty.

Second alternative

State Parties requesting that nuclear facilities under their jurisdiction be included in the Register shall for each such facility communicate to the Depositary the following written information:

(a) Details on the exact geographical location of the nuclear facility;

(b) Identification of the type of nuclear facility, i.e. if it is a reactor, intermediate spent fuel storage, reprocessing plant or waste deposit.

---

*/ Some delegations opposed the idea of limiting the scope of the Treaty to nuclear facilities included in a Register.

**/ Other delegations maintained that nuclear facilities covered by the provisions of this Treaty should be included in a Register.

Third alternative

State Parties requesting that nuclear facilities under their jurisdiction be included in the Register shall for each such facility communicate to the Depositary the following written information:

(a) Details on the exact geographical location of the nuclear facility;

(b) Identification of the type of nuclear facility, i.e. if it is a nuclear reactor, enrichment plant, reprocessing plant, other nuclear fuel cycle facility, radioactive waste management facility or facility for the storage of nuclear fuels or radioactive wastes.

Paragraph 3

First alternative

Upon receipt of a request for an inclusion in the Register, the Depositary shall without delay initiate procedures to confirm that the information contained in the request is correct:

(a) Through, to the extent possible, documentation from the IAEA; and/or

(b) Through other means, including mission to the facility, when necessary.

For the purpose of carrying out the procedures in paragraph 3 (a) above the Depositary may, as it deems necessary, enter into agreement with the IAEA.

For the purpose of carrying out the procedures in paragraph 3 (b) above the Depositary shall, with the co-operation of State Parties to the Treaty, compile and maintain a list of qualified experts, whose services could be made available to undertake such missions.

Second alternative

Upon receipt of a request for an inclusion in the Register, the Depositary shall communicate it to all State Parties.

Paragraph 4

The Depositary shall include the facility in the Register as well as relevant details about the facility concerned, as soon as the information given in the request has been substantiated, and shall immediately notify State Parties to the Treaty of any new inclusion in the Register.

Paragraph 5

State Parties having nuclear facilities under their jurisdiction included in the Register shall immediately inform the Depositary of any change that may occur concerning the information given in the request.

Paragraph 6

The costs for implementing these procedures shall be borne by the requesting State.

SPECIAL MARKING */ **/

Paragraph 1

Nuclear facilities which are included in the Register shall bear Special Marking.

Paragraph 2

First alternative

A State Party may request the Depositary to mark its nuclear facilities referred to in paragraph 1 with the Special Marking.

Second alternative

A State Party may mark its nuclear facilities referred to in paragraph 1 with the Special Marking.

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*/ Some delegations opposed the idea of limiting the scope of the Treaty to nuclear facilities having Special Marking.

**/ Other delegations maintained that nuclear facilities covered by the provisions of this Treaty should be included in a Register and might bear Special Marking.

VERIFICATION AND COMPLIANCE AND OTHER MAIN ELEMENTS

Paragraph 1

First alternative

A State Party may lodge a complaint with the Depositary */ in case it believes that any other State Party acted in breach of obligations deriving from the provisions of the Treaty. **/ Such complaint shall include all relevant information and all possible evidence supporting the validity of the complaint.

Second alternative

A State Party may lodge a complaint with the Depositary in case it believes that any of its nuclear facilities subject to the specifications of this Treaty was attacked by another State Party.

Third alternative

A State Party may lodge a complaint with the Depositary in case it believes that an attack has been carried out on any nuclear facility on its territory by any other State Party in breach of obligations deriving from the provisions of the Treaty. Such a complaint shall be accompanied by all possible evidence and other relevant information supporting the validity of the complaint.

Paragraph 2

First alternative

Within ... days of the receipt of a complaint from any State Party the Depositary may initiate an investigation of the alleged attack including arrangements for a fact-finding mission on or at the site, if possible, to ascertain the facts ***/ relevant to the complaint. The fact-finding panel shall transmit to the Depositary the summary of its findings of fact. ****/

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*/ A view was expressed that procedures other than the one through the Depositary should also be considered.

**/ It was suggested to add after "Treaty" the words "related to its scope".

***/ A view was expressed that the task of the fact-finding mission would rather be to evaluate the damage caused to the facility.

****/ A view was expressed that a fact-finding mission will have to be carried out not on a routine basis but only if requested by the State Party concerned.

Second alternative

Immediately upon receipt of the complaint, the Depositary shall initiate an investigation to ascertain facts relevant to the complaint. Such an investigation shall include a fact-finding mission to or at the site of the nuclear facility concerned and to any other site as may be appropriate. The fact-finding mission shall submit its findings to the Depositary at the earliest possible date.

Paragraph 3

For purposes of carrying out a fact-finding mission the Depositary shall maintain a list of qualified experts, selected on as wide a political and geographical basis as possible, whose services may be available to undertake such missions.

Paragraph 4

States Parties undertake to co-operate in carrying out the investigation which the Depositary may initiate on a complaint received from any State Party. The Depositary shall inform the State Parties of the results of the investigation.

Paragraph 5

First alternative

The Depositary shall convene the Conference of States Parties to consider the report on the results of the investigation. */

Second alternative

The Depositary shall submit to States Parties a report on the results of the investigation carried out by him, including the findings of the fact-finding mission, and shall convene a conference of States Parties to consider the report and adopt such measures as may be appropriate.

Paragraph 6

First alternative

The continuing application of IAEA safeguards at a nuclear facility will form an essential part of the arrangements to verify that the facility is a peaceful nuclear facility within the meaning of the Treaty. **/ ***/

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*/ A view was expressed that the Conference of States Parties should consider taking concrete measures on the basis of the report.

**/ It was stated that the application of IAEA safeguards was irrelevant to the objectives of this Treaty and that if anyway addressed, the issue belonged under the provisions for inclusion in the Register.

***/ The view was expressed that the application of IAEA safeguards could not verify that a nuclear facility was a peaceful one but rather that nuclear material remained in peaceful use.

Second alternative

The application of IAEA safeguards to a nuclear facility shall be of no relevance to the verification of compliance with obligations assumed by States Parties under this Treaty.

Third alternative

The determination that a facility is and remains a peaceful nuclear facility within the meaning of the Treaty shall be made by the application of IAEA safeguards. */ **/

Paragraph 7

States Parties undertake to provide or support assistance to any State Party harmed as a result of the violation of the Treaty. ***/

Paragraph 8

Provisions of this Treaty are without prejudice to the obligations of States Parties undertaken in other international instruments relevant to the subject of this Treaty.

---

*/ It was stated that the application of IAEA safeguards was irrelevant to the objectives of this Treaty and that if anyway addressed, the issue belonged under the provisions for inclusion in the Register.

**/ The view was expressed that the application of IAEA safeguards could not verify that a nuclear facility was a peaceful one but rather that nuclear material remained in peaceful use.

***/ A view was expressed that the obligation of States Parties to provide assistance was limited to the radiological damage caused by an attack.

CONFERENCE ON DISARMAMENT

CD/865
31 August 1988

Original: ENGLISH

LETTER DATED 29 AUGUST 1988 ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT FROM THE DEPUTY REPRESENTATIVE OF CANADA TO THE CONFERENCE ON DISARMAMENT TRANSMITTING COMPENDIA COMPRISING PLENARY STATEMENTS AND WORKING PAPERS RELATING TO CHEMICAL WEAPONS FROM THE 1987 SESSION OF THE CONFERENCE ON DISARMAMENT 1/

In Ambassador Marchand's Plenary statement on 4 August before the Conference on Disarmament, he announced that our delegation would be making available to delegations the next in our series of compendia on chemical weapons comprising plenary statements and working papers from the 1987 session of the Conference on Disarmament. As you know, similar documents were distributed in 1983, 1986 and 1987 and, with the recent additions, these compendia bring together documentation covering the period 1969-1987 inclusive.

I should be grateful if the necessary arrangements could be made for the distribution of the compendia to the members of the Conference on Disarmament.

(Signed) A.W.J. Robertson
Minister
Deputy Representative to the
Conference on Disarmament

1/ A limited distribution of this Compendia in English only has been made to the members of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Canada at Geneva.

GE.88-64217/0183A

CD/866
31 August 1988

ENGLISH
Original: FRENCH

CONFERENCE ON DISARMAMENT

CANADA

Statement by the Right Honourable Joe Clark, Secretary of State for External Affairs, on the occasion of the 20th anniversary of the Non-Proliferation Treaty (NPT)

Ottawa, 28 July 1988

CANADA SUPPORTS THE NON-PROLIFERATION TREATY

The Secretary of State for External Affairs, the Right Honourable Joe Clark, today strongly reaffirmed Canada's abiding support for the Non-Proliferation Treaty (NPT). He recalled that July 1988 marks the 20th anniversary of the treaty, to which Canada was among the first to accede.

The NPT, said Mr. Clark, is an instrument of major importance in that it provides for legally binding commitments to prevent the proliferation of nuclear weapons and facilitates international co-operation in the peaceful uses of nuclear energy. It also sets out a guiding framework for the negotiated reduction of nuclear arsenals.

The Minister emphasized that Canada, which supports these fundamental policy objectives, is a major advocate of universal adherence to the NPT. Although the treaty, with 137 States parties, has broad support from all regions, Mr. Clark expressed concern that a number of States with advanced nuclear capabilities might decline to accede to it. He noted that, last month, he had instructed Canadian embassies to inform each country whose Government had not yet ratified the Treaty that Canada attaches particular importance to the need for all States to become full parties to that instrument. Mr. Clark welcomed the recent accession of Spain to the NPT, as well as Saudi Arabia's announced intention to accede. He expressed the hope that other States would follow the example of those two countries.

Mr. Clark pointed with satisfaction to the noteworthy progress that had stemmed from the talks held last year by the USSR and the United States on nuclear arms control and disarmament, in conformity with the objectives set out in the disarmament provisions of the NPT. While recognizing that a sharp reduction in nuclear arsenals remains a central Canadian objective, the Minister reaffirmed that efforts to prevent the proliferation of nuclear weapons are equally important. Mr. Clark expressed the hope that significant progress toward both of these important goals would be made before the 1990 conference to review the operation of the NPT ahead of its renewal in 1995.

It is Mr. Clark's view that the NPT, which has already made a major contribution to non-proliferation, will always remain a vital factor in strengthening international security and co-operation.

CONFERENCE ON DISARMAMENT

CD/867
2 September 1988

Original: ENGLISH

REPORT OF THE AD HOC COMMITTEE ON THE COMPREHENSIVE PROGRAMME OF DISARMAMENT

I. INTRODUCTION

1. At its 466th plenary meeting, on 19 July 1988, the Conference on Disarmament decided to re-establish the Ad Hoc Committee on the Comprehensive Programme of Disarmament to continue negotiations on the Comprehensive Programme of Disarmament with the firm intention of completing the elaboration of the Programme for its submission to the General Assembly at its forty-third session or, at the latest, at its forty-fourth session if the achievement of that objective was not possible during 1988. The Conference requested the Ad Hoc Committee to report on the progress of its work before the end of the 1988 session.

II. ORGANIZATION OF WORK AND DOCUMENTS

2. At its 466th plenary meeting, on 19 July 1988, the Conference on Disarmament appointed Ambassador Alfonso Garcia Robles (Mexico) as Chairman of the Ad Hoc Committee. Miss Aida Luisa Levin, Senior Political Affairs Officer, United Nations Department of Disarmament Affairs, served as Secretary of the Committee.

3. The Ad Hoc Committee held six meetings between 28 July and 1 September 1988.

4. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee: Austria, Bangladesh, Denmark, Finland, Greece, Ireland, Malaysia, New Zealand, Norway, Portugal, Senegal, Spain, Turkey and Zimbabwe.

5. In addition to the documents previously submitted under the agenda item, 1/ the Ad hoc Committee had before it a proposal submitted by Peru relating to the establishment of a zone of peace and co-operation in the South Pacific (CD/CPD/WP.91).

III. SUBSTANTIVE WORK DURING THE SECOND PART OF THE 1988 SESSION

6. The Ad Hoc Committee continued negotiations on the Comprehensive Programme of Disarmament on the basis of the text annexed to the special report submitted to the General Assembly at its third special session devoted to disarmament (CD/834).

7. The Ad Hoc Committee concentrated its work on various outstanding issues. Contact groups were established and consultations held among interested deletations with a view to resolving differences concerning certain texts. Some progress was made towards harmonizing positions and narrowing areas of disagreement. However, in the short time available, it was not possible to reconcile differences on a number of issues and, thus, complete the elaboration of the Programme in 1988. The results of the work are contained in the annex to this report. It was understood that delegations could not take final positions thereon until agreement was reached on outstanding points of difficulty and until the document was complete.

IV. CONCLUSIONS

8. Bearing in mind the terms of its mandate, the Ad Hoc Committee agreed that it should resume work at the outset of the 1989 session with the firm intention of completing the elaboration of the Programme for its submission to the General Assembly, at the latest, at its forty-fourth session.

Note

1/ The list of documents may be found in the reports of the previous Ad Hoc Working Group and in the reports of the Ad Hoc Committee which are an integral part of the reports of the Committee on Disarmament and of the Conference on Disarmament (CD/139, CD/292, CD/335, CD/421, CD/540, CD/642, CD/732 and Add.1 and CD/834).

Annex

[Draft Comprehensive Programme of Disarmament]

[Texts for the Comprehensive Programme of Disarmament]

I. Introduction

1. The States Members of the United Nations reaffirm that the ultimate goal of a comprehensive programme of disarmament is general and complete disarmament under effective international control. Progress towards this goal requires the implementation of measures to halt and reverse the arms race and clear the path towards lasting peace. Negotiations on the entire range of those issues should be based on the strict observance of the purposes and principles enshrined in the Charter of the United Nations, with full recognition of the role of the United Nations in the field of disarmament and reflecting the vital interest of all peoples of the world in this sphere.

2. In paragraph 109 of the Final Document of the first special session of the General Assembly devoted to disarmament, the Committee on Disarmament - now the Conference on Disarmament - was requested to ["] undertake the elaboration of a comprehensive programme of disarmament encompassing all measures thought to be advisable in order to ensure that the goal of general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail [and in which the new international economic order is strengthened and consolidated"]. In the same paragraph of the Final Document it was also stated that: "The comprehensive programme should contain appropriate procedures for ensuring that the General Assembly is kept fully informed of the progress of the negotiations including an appraisal of the situation when appropriate and, in particular, a continuing review of the implementation of the programme".

3. The Conference on Disarmament has elaborated and adopted by consensus this draft comprehensive programme of disarmament for its presentation to the ... session of the United Nations General Assembly. In addition to the present introduction, the programme comprises five chapters, the titles of which are the following: "Objectives", "Principles", "Priorities", "Measures and stages of implementation", and "Machinery and procedures". */

4. The Programme is adopted by consensus by the United Nations General Assembly. Through the adoption of the Programme all Member States of the United Nations express their willingness to make every effort possible toward the realization as soon as possible of general and complete disarmament under effective international control.

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*/ The final text of this paragraph will be determined when the Conference on Disarmament adopts the Programme.

II. Objectives

1. The immediate objectives of the Comprehensive Programme of Disarmament should be to eliminate the danger of war, [in particular nuclear war, the prevention of which remains the most acute and urgent task of the present day,] [inter alia, nuclear war,] to implement measures to halt and reverse the arms race, [in particular the nuclear arms race,] and to clear the path towards lasting peace. To this end the programme will also aim:

- To maintain and further the momentum generated by the first special session of the General Assembly devoted to disarmament;

- To initiate or engage in further negotiations, to expedite the halting of the arms race in all its aspects, [in particular the nuclear arms race];

- To consolidate and develop the results reflected in agreements and treaties achieved so far, relevant to the problems of disarmament;

- To open and accelerate the process of genuine disarmament on an internationally agreed basis.

2. The ultimate objective of the Comprehensive Programme is to ensure that general and complete disarmament under effective international control becomes a reality in a world in which international peace and security prevail [and in which the New International Economic Order is fully achieved].

3. Throughout the implementation of the Programme towards the progressive reduction and final elimination of armaments and armed forces, the following objectives should be pursued:

- To strengthen international peace and security, as well as the security of individual States, in accordance with the Charter of the United Nations;

- To contribute to the safeguarding of the sovereignty and independence of all States;

- To make, through the implementation of the programme, an effective contribution to the establishment of conditions favourable to the economic and social development of States, in particular developing States;

- To increase international confidence and relaxation of international tension;

- To establish international relations based on peaceful coexistence and trust between all States, and to develop broad international co-operation and understanding with a view to promoting conditions favourable to the implementation of the Programme;

- To promote further public understanding and support for the efforts to halt the arms race and achieve disarmament, through accurate, balanced, factual and objective information and education in all regions of the world.

III. Principles

[1. [The United Nations Charter together with the Final Document of the First Special Session of the General Assembly on Disarmament embodies the basic philosophy for achieving general and complete disarmament.]

2. [The objective of security, which is an inseparable element of peace, has always been one of the most profound aspirations of humanity. Yet today the accumulation of weapons, particularly nuclear weapons which alone are sufficient to destroy all life on earth, constitutes much more a threat than a protection for the future of mankind and, far from helping to strengthen international security, on the contrary weakens it. Therefore, it is essential to halt and reverse the nuclear arms race in all its aspects in order to avert the danger of war involving nuclear weapons.]

3. All States Members of the United Nations reaffirm their full commitment to the purposes of the Charter of the United Nations and their obligation strictly to observe its principles as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security. [They stress the special importance of refraining from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, or against peoples under colonial or foreign domination seeking to exercise their right to self-determination and to achieve independence, non-acquisition and non-annexation of territories by force and non-recognition of such acquisition or annexation, non-intervention and non-interference in the internal affairs of other States; the inviolability of international frontiers; and the peaceful settlement of disputes, having regard to the inherent right of States to individual and collective self-defence in accordance with the Charter.]

4. In order to create favourable conditions for success in the disarmament process, all States should strictly abide by the provisions of the Charter of the United Nations, refrain from actions which might adversely affect efforts in the field of disarmament, and display a constructive approach to negotiations and the political will to reach agreements.

5. [Enduring international peace and security cannot be built on the accumulation of weaponry by military alliances or be sustained by a precarious balance of deterrence or doctrines of strategic superiority. Genuine and lasting peace can only be created through the effective implementation of the security system provided for in the Charter of the United Nations and the speedy and substantial reduction of arms and armed forces, by international agreement and mutual example, leading ultimately to general and complete disarmament under effective international control. At the same time, the causes of the arms race and threats to peace must be reduced and to this end effective action should be taken to eliminate tensions and settle disputes by peaceful means.]

6. [The arms race, particularly in its nuclear aspect, runs counter to efforts to achieve further relaxation of international tension, to establish international relations based on peaceful coexistence and trust between all States, and to develop broad international co-operation and understanding. The arms race impedes the realization of the purposes, and is incompatible with the principles, of the Charter of the United Nations, especially respect

for sovereignty, refraining from the threat or use of force against the territorial integrity or political independence of any State, the peaceful settlement of disputes and non-intervention and non-interference in the internal affairs of States. On the other hand, progress on détente and progress on disarmament mutually complement and strengthen each other.]

7. Disarmament, relaxation of international tension, respect for the right to self-determination and national independence, the peaceful settlement of disputes in accordance with the Charter of the United Nations and the strengthening of international peace and security are directly related to each other. Progress in any of these spheres has a beneficial effect on all of them; in turn, failure in one sphere has negative effects on others.

8. Progress in disarmament should be accompanied by measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means.

9. [The Members of the United Nations are fully aware of the conviction of their peoples that the question of general and complete disarmament is of utmost importance and that peace, security and economic and social development are indivisible, and they have therefore recognized that the corresponding obligations and responsibilities are universal.]

10. All the peoples of the world have a vital interest in the success of disarmament negotiations. Consequently, all States have the duty to contribute to efforts in the field of disarmament. All States have the right to participate in disarmament negotiations. They have the right to participate on an equal footing in those multilateral disarmament negotiations which have a direct bearing on their national security.

11. [In a world of finite resources, there is a close relationship between expenditure on armaments and economic and social development. The continuation of the arms race is detrimental to and incompatible with the implementation of the new international economic order based on justice, equity and co-operation. Consequently, there is a close relationship between disarmament and development. Progress in the former would help greatly in the realization of the latter and resources released as a result of the implementation of disarmament measures should be devoted to the economic and social development of all nations and contribute to the bridging of the economic gap between developed and developing countries.]

12. [Disarmament and arms limitation, particularly in the nuclear field, are essential for the prevention of the danger of nuclear war and the strengthening of international peace and security and for the economic and social advancement of all peoples, thus facilitating the achievement of the new international economic order.]

13. [Nuclear weapons pose the greatest danger to mankind and to the survival of civilization.]

14. [Mindful of the danger posed to all mankind by an arms race in outer space that could undermine international peace and security and retard the pursuit of general and complete disarmament, all States should refrain in their activities relating to outer space from actions contrary to the

observance of the relevant existing treaties or to the objective of preventing an arms race in outer space, thus securing that it shall not become a new arena for an arms race.]

15. The adoption of disarmament measures should take place in such an equitable and balanced manner as to ensure the right of each State to security and to ensure that no individual State or group of States may obtain advantages over others at any stage. At each stage the objective should be undiminished security at the lowest possible level of armaments and military forces.

16. [In accordance with the Charter,] the United Nations has a central role and [a] primary responsibility in the sphere of disarmament. In order effectively to discharge this role and facilitate and encourage all measures in this field, the United Nations should be kept appropriately informed of all steps in this field, whether unilateral, bilateral, regional or multilateral, without prejudice to the progress of negotiation.

17. While disarmament is the responsibility of all States, all the nuclear-weapon States have the primary responsibility for nuclear disarmament and, together with other militarily significant States, for halting and reversing the arms race.

18. In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility.

19. An acceptable balance of mutual responsibilities and obligations for nuclear and non-nuclear-weapon States should be strictly observed.

20. Negotiations on partial measures of disarmament should be conducted concurrently with negotiations on more comprehensive measures and should be followed by negotiations leading to a treaty on general and complete disarmament under effective international control.

21. [Qualitative and quantitative disarmament measures are both important for halting the arms race. Efforts to that end must include negotiations on the limitation and cessation of the qualitative improvement of armaments, especially weapons of mass destruction and the development of new means of warfare so that ultimately scientific and technological achievements may be used solely for peaceful purposes.]

22. Disarmament and arms limitation agreements should provide for adequate measures of verification satisfactory to all parties concerned in order to create the necessary confidence and ensure that they are being observed by all parties. The form and modalities of the verification to be provided for in any specific agreement depend upon and should be determined by the purposes, scope and nature of the agreement. [Every effort should be made to develop appropriate methods and procedures which are non-discriminatory and which do not unduly interfere with the internal affairs of other States or jeopardize their economic and social development or prejudice their security.]

23. Universality of disarmament agreements helps create confidence among States. When multilateral agreements in the field of disarmament are negotiated, every effort should be made to ensure that they are universally acceptable. The full compliance of all parties with the provisions contained in such agreements would contribute to the attainment of that goal.

24. All States, in particular nuclear-weapon States, should consider various proposals designed to secure the avoidance of the use of nuclear weapons, and the prevention of nuclear war. In this context, while noting the declarations made by nuclear-weapon States, effective arrangements, as appropriate, to assure non-nuclear-weapon States against the use or the threat of use of nuclear weapons could strengthen the security of those States and international peace and security.

25. [The establishment of nuclear-weapon-free zones on the basis of agreements or arrangements freely arrived at among the States of the zone concerned and the full compliance with those agreements or arrangements, thus ensuring that the zones are genuinely free from nuclear weapons, and respect for such zones by nuclear-weapon States constitute an important disarmament measure.]

26. Non-proliferation of nuclear weapons [, horizontal, vertical and spatial,] is a matter of universal concern. Measures of disarmament must be consistent with the inalienable right of all States, without discrimination, to develop, acquire and use nuclear technology, equipment and materials for the peaceful use of nuclear energy and to determine their peaceful nuclear programmes in accordance with their national priorities, needs and interests, bearing in mind the need to prevent the proliferation of nuclear weapons. International co-operation in the peaceful uses of nuclear energy should be conducted under agreed and appropriate international safeguards applied on a non-discriminatory basis. */

27. Significant progress in nuclear disarmament would be facilitated both by parallel political or international legal measures to strengthen the security of States and by progress in the limitation and reduction of armed forces and conventional armaments of the nuclear-weapon States and other States in the regions concerned.

28. Together with negotiations on nuclear disarmament measures, negotiations should be carried out on the balanced reduction of armed forces and of conventional armaments, based on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into account the need of all States to protect their security. These negotiations should be conducted with particular emphasis on armed forces and conventional weapons of nuclear-weapon States and other militarily significant countries.

29. Collateral measures in both the nuclear and conventional fields, together with other measures specifically designed to build confidence, should be undertaken in order to contribute to the creation of favourable conditions for the adoption of additional disarmament measures and to further the relaxation of international tension.

30. As security and stability should be assured in all regions taking into account the specific needs and requirements of their respective situations, bilateral and regional disarmament negotiations may also play an important role and could facilitate negotiations of multilateral agreements in the field of disarmament.

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*/ One delegation reserves its position on the inclusion of the text following the first sentence in the chapter on principles.

31. Agreements or other measures should be resolutely pursued on a bilateral, regional and multilateral basis with the aim of strengthening peace and security at a lower level of forces, by the limitation and reduction of armed forces and of conventional weapons, taking into account the need of States to protect their security, bearing in mind the inherent right of self-defence embodied in the Charter of the United Nations and without prejudice to the principle of equal rights and self-determination of peoples in accordance with the Charter, and the need to ensure balance at each stage and undiminished security of all States.

32. Bilateral, regional and multilateral consultations and conferences should be held where appropriate conditions exist with the participation of all the countries concerned for the consideration of different aspects of conventional disarmament.

33. Draft multilateral disarmament conventions should be subjected to the normal procedures applicable in the law of treaties. Those submitted to the General Assembly for its commendation should be subject to full review by the Assembly.

34. [Each fully implemented arms limitation or disarmament measure helps to build [the] confidence [needed] [and] to advance to more significant steps toward general and complete disarmament measures.]

35. [Respect for and the effective exercise of human rights and fundamental freedoms [, especially the right to live in a nuclear-weapon-free, demilitarized and non-violent world,] are essential factors for international peace, justice and security.]

36. [Confidence-building measures, especially when applied in a comprehensive manner, have a potential to contribute significantly to the enhancement of peace and security and to promote and facilitate the attainment of disarmament measures.]

37. [A better flow of objective information on military capabilities could help relieve international tension and contribute to the building of confidence among States on a global, regional or subregional level and to the conclusion of concrete disarmament agreements.]]

[1. [The United Nations Charter as well as generally accepted principles of international law provide the basic norms required for progress in the field of disarmament. The process of achieving general and complete disarmament under effective international control should take duly into account the basic principles and priorities established by the Final Document of the first special session of the General Assembly devoted to disarmament.]

[The United Nations Charter as well as generally accepted principles of international law provide norms of conduct for nations required for progress in the field of disarmament. Only strict observance of these norms can create conditions necessary for the achievement of the ultimate objective of general and complete disarmament under effective international control, also reflected in the Final Document of the first special session of the General Assembly devoted to disarmament.]

2. All States Members of the United Nations should affirm their full commitment to the purposes and principles of the United Nations Charter, strictly observe its provisions as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security [including the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States] and refrain from actions which might adversely affect efforts in the field of disarmament and the process of building confidence and security, displaying a constructive approach to negotiations and the political will to reach agreements.

3. Disarmament, relaxation of international tension, respect for the right to self-determination and national independence, the peaceful settlement of disputes in accordance with the Charter of the United Nations and the strengthening of international peace and security are directly related to each other. Progress in any of these spheres has a beneficial effect on all of them; in turn, failure in one sphere has negative effects on others.

4. Recognizing that security is an inseparable element of peace, that the arms race is inherently unstable and that enduring peace and security for the future cannot be built on the accumulation of weaponry, all States should adopt defence policies and military doctrines which could contribute to reductions in armed forces and armaments to the levels necessary for defence, to a decrease in military confrontation and to greater confidence and stability in relations among States. All States should seek to strengthen and ensure international security through peaceful and mutually beneficial co-operation and disarmament agreements, which is essential in order to halt and reverse the arms race and prevent war, in particular nuclear war.

5. Progress in disarmament should be accompanied by measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means.

6. All States have the obligation to promote international peace and security and to contribute to efforts in the field of disarmament. [All States have the right to participate in the disarmament process.] All States have the right to participate on the basis of equality in those multilateral disarmament negotiations which have a direct bearing on their national security.

7. Progress in the field of disarmament should contribute to the social and economic development of all nations, particularly developing nations.

8. Outer space shall be the province of all mankind. Its exploration and use shall be carried out for the benefit and in the interests of all States and in the interest of maintaining international peace and security and promoting international co-operation and understanding. All States, in particular the major space Powers, should contribute actively to the prevention of an arms race in outer space.

9. Bearing in mind the right of each State to security, the adoption of disarmament measures should take place in such an equitable and balanced manner as to enhance the security of each State and to ensure that no individual State or group of States may obtain advantages over others at any stage. At each stage the objective should be undiminished security at the lowest possible level of armaments and military forces.

10. The United Nations have a central role and primary responsibility in the sphere of disarmament and in the promotion of international peace and security. In order effectively to discharge this role and facilitate and encourage all measures in this field, the United Nations should be kept appropriately informed of all steps in this field, whether unilateral, bilateral, regional or multilateral, without prejudice to the progress of negotiations.

11. An acceptable balance of mutual responsibilities and obligations for nuclear and non-nuclear-weapon States should be strictly observed. While disarmament is the responsibility of all States, the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, have the primary responsibility for nuclear disarmament and, together with other militarily significant States, for halting and reversing the arms race.

12. Qualitative as well as quantitative aspects must be taken into account in disarmament and arms limitation agreements in order to promote international peace and security and to ensure [that improvement in armaments does not undermine the validity and viability of agreements and] that ultimately scientific and technological developments be used for peaceful purposes.

13. Disarmament and arms limitation agreements should provide for effective measures of verification in order to create necessary confidence, monitor and promote compliance. The specific measures of verification in any specific agreement should be determined by the purposes, scope and nature of the agreement.

14. Together with negotiations on nuclear disarmament measures, negotiations should be carried out on the balanced reduction of armed forces and of conventional armaments, based on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into account the need of all States to protect their security. These negotiations should be conducted with particular emphasis on armed forces and conventional weapons of the countries with the largest military arsenals and other militarily significant countries.

15. All efforts should be exerted to achieve the prohibition of all other weapons of mass destruction, in particular the final elaboration of a convention on the prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction at the earliest possible date.

16. Collateral measures in both the nuclear and conventional fields, together with other measures specifically designed to build confidence, should be undertaken in order to further the relaxation of international tension and thus create favourable conditions for the adoption of additional disarmament measures.

17. As security and stability should be assured in all regions taking into account the specific needs and requirements of their respective situations, bilateral and regional disarmament negotiations should also play an important role in order to facilitate negotiations of multilateral agreements in the field of disarmament, which would enhance international peace and security.

18. All States should promote a better flow of objective information on military capabilities in order to contribute to the building of confidence among States on a global, regional or subregional level and in order to facilitate the conclusion of concrete disarmament agreements, which would enhance international peace and security.]

IV. Priorities

1. */ In the implementation of the Comprehensive Programme of Disarmament for the achievement of general and complete disarmament under effective international control as the ultimate goal, the priorities which reflect the urgency attached to the measures for negotiations are:

- nuclear weapons;

[- prevention of an arms race in outer space,]

- other weapons of mass destruction, including chemical weapons;

- conventional weapons, including any which may be deemed to be excessively injurious or to have indiscriminate effects; and

- reduction of armed forces.

2. [Effective measures of nuclear disarmament, the prevention of nuclear war and the prevention of an arms race in outer space have the highest priority. Along with negotiations on these measures, effective measures should be negotiated to prohibit or prevent the development, production or use of other weapons of mass destruction, as well as on the balanced reduction of armed forces and of conventional armaments.]

3. [Nothing should preclude States from conducting negotiations on all priority items concurrently.] Bearing in mind these priorities, negotiations should be pursued on all measures which would lead to general and complete disarmament under effective international control.

V. [Measures and stages of implementation

First stage]

DISARMAMENT MEASURES

A. Nuclear weapons

1. [Nuclear weapons pose the greatest danger to mankind and to the survival of civilization. It is essential to halt and reverse the nuclear arms race in all its aspects in order to avert the danger of war involving nuclear weapons. The ultimate goal in this context is the complete elimination of nuclear weapons.

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*/ Some delegations expressed the belief that the order of the items listed in this paragraph does not constitute an agreed order of importance.

In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility.

The process of nuclear disarmament should be carried out in such a way, and requires measures to ensure, that the security of all States is guaranteed at progressively lower levels of nuclear armaments, taking into account the relative qualitative and quantitative importance of the existing arsenals of the nuclear-weapon States and other States concerned.]

2. The achievement of nuclear disarmament will require [urgent] negotiation of agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned for:

(a) Cessation of the qualitative improvement and development of nuclear-weapon systems;

(b) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;

(c) [A comprehensive, phased programme with agreed time-frames, whenever feasible, for progressive] [Significant] and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time.

Consideration can be given in the course of the negotiations to mutual and agreed limitation or prohibition, without prejudice to the security of any State, of any type of nuclear armaments.

3. Nuclear test ban:

The cessation of nuclear-weapon testing by all States within the framework of an effective nuclear disarmament process would be in the interest of mankind. */ It would make a significant contribution to the aim of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons and of preventing the proliferation of nuclear weapons. [Therefore, all efforts should be made to conclude, as an important part of the process of nuclear disarmament, a multilateral nuclear test ban treaty at the earliest possible date.] [Therefore, it is necessary to make all efforts for the elaboration of a multilateral treaty on a nuclear test ban at the earliest possible date.] [Therefore, negotiations should be immediately initiated for the urgent conclusion of a nuclear test ban treaty.] [It is necessary to undertake all possible efforts and immediately hold negotiations for the urgent elaboration of a treaty on the complete and general prohibition of nuclear weapon tests; before the conclusion of such a treaty all nuclear-weapon States should declare a moratorium on all nuclear explosions.] [It is therefore necessary as an important part of the process of nuclear disarmament to make every effort to achieve an effective and verifiable multilateral treaty on a nuclear test ban at the earliest practical date.]

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*/ Some delegations reserved their position with respect to the first sentence of this text.

4. [Pending the conclusion of further agreements relating to nuclear disarmament the USSR and the United States should, on a reciprocal basis, continue to refrain from actions which would undercut existing strategic arms agreements concluded between them.]

5. Negotiations between the United States of America and the Union of Soviet Socialist Republics on nuclear and space arms:

The United States of America and the Union of Soviet Socialist Republics have expressed consciousness of their special responsibility for maintaining peace and have agreed that a nuclear war cannot be won and must never be fought. The agreement between the United States and the Soviet Union to accelerate the work at their bilateral nuclear and space arms negotiations has been widely welcomed. In this context nations of the world have endorsed the proclaimed objective of these negotiations and have stressed the importance of their being pursued with utmost dispatch with the objective of reaching early agreements. In this regard the United States and the Soviet Union should also continue to keep in view the following:

(a) The objective to work out effective agreements aimed at preventing an arms race in space and terminating it on Earth as well as limiting and reducing nuclear arms.

(b) The need to take fully into account the security interests of all States.

(c) The need to display a spirit of flexibility and to maintain equal and undiminished security for all at constantly decreasing levels of armaments and the principle that neither side should seek to achieve military superiority over the other.

(d) The requirement for effective measures for verification of compliance with agreements.

(e) The fact that while reductions in the nuclear arsenals of the United States and the USSR are directly to be negotiated and effected by the two sides involved, the overall subject of nuclear disarmament is of world-wide concern since nuclear weapons and their accumulation pose a threat not only to their possessors and their allies but every other nation.

(f) [The United Nations General Assembly has reiterated its belief that bilateral and multilateral efforts for nuclear disarmament should complement and facilitate each other.]

[The fact that bilateral negotiations do not in any way diminish the urgent need to initiate multilateral negotiations in the Conference on Disarmament on the cessation of the nuclear arms race and nuclear disarmament.]

(g) The need to keep the United Nations General Assembly and the Conference on Disarmament appropriately informed of the state of negotiations, inter alia, in view of the responsibilities entrusted to these bodies as well as the universal desire for progress towards disarmament.

The Soviet Union and the United States, having agreed to accelerate the pace of their bilateral negotiations, should exert every effort to achieve agreements on substantial reductions in their nuclear arsenals to be implemented during the initial phase of the disarmament process, which should be as brief as possible. In this context, the two sides have already agreed on the principle of 50 per cent reductions in their nuclear arms appropriately applied, as well as the idea of an interim INF agreement. During this initial phase other agreements helpful to the overall disarmament process should also be concluded and put into effect.

Following is the text of the Joint United States-Soviet statement which was issued on 8 January 1985, regarding their negotiations on nuclear and space arms:

"As previously agreed, a meeting was held on 7 and 8 January 1985 in Geneva between George P. Schultz, the United States Secretary of State, and Andrei A. Gromyko, Member of the Politburo of the Central Committee of the CPSU, First Deputy Chairman of the Council of Ministers of the USSR and Minister of Foreign Affairs of the USSR.

During the meeting they discussed the subject and objectives of the forthcoming United States-Soviet negotiations on nuclear and space arms.

The sides agree that the subject of the negotiations will be a complex of questions concerning space and nuclear arms - both strategic and intermediate-range - with all these questions considered and resolved in their interrelationship.

The objective of the negotiations will be to work out effective agreements aimed at preventing an arms race in space and terminating it on Earth, at limiting and reducing nuclear arms, and at strengthening strategic stability. The negotiations will be conducted by a delegation from each side divided into three groups.

The sides believe that ultimately the forthcoming negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear arms everywhere.

The date of the beginning of the negotiations and the site of these negotiations will be agreed through diplomatic channels within one month."

6. Multilateral negotiations on nuclear disarmament:

[The urgent initiation of multilateral nuclear disarmament negotiations is of vital interest to the nuclear and non-nuclear-weapon States. The conclusion of multilateral disarmament agreements would be facilitated by substantial progress in the bilateral negotiations in this area between the States which possess the most important arsenals and have a special responsibility in the field of nuclear disarmament. Also, multilateral negotiations are particularly important to achieve significant and universal progress toward the achievement of nuclear disarmament. This will require negotiation of agreements at appropriate stages, taking due account of the relative quantitative and qualitative importance of existing arsenals and the necessity of maintaining the undiminished security of all States, nuclear and

non-nuclear, at each stage, and with adequate measures of verification satisfactory to all parties concerned, for the cessation of the qualitative improvement and development of nuclear-weapon systems, for the cessation of the production of all types of nuclear weapons and their means of delivery and for the reduction of stockpiles of nuclear weapons and their means of delivery.

In the course of such negotiations, a combination of the measures as detailed in paragraph 2 above, or a combination of different elements of such measures, could be considered.

The overall objective of the measures for nuclear disarmament outlined in the preceding paragraphs for negotiation during the first stage of the Comprehensive Programme, and of those included in subsequent stages, would be to achieve qualitative and quantitative limitations on and significant reductions of the nuclear-weapon arsenals existing at the beginning of the stage.]

7. Avoidance of the use of nuclear weapons and prevention of nuclear war:

[There is today an international consensus that a nuclear war cannot be won and must never be fought. There is no objective of greater importance than the prevention of nuclear war. The surest way to remove the danger of nuclear war and the use of nuclear weapons is nuclear disarmament and elimination of nuclear weapons. [All Member States recognize the need to prevent war, especially because war can escalate to nuclear war. As an important step in improving international security and reducing the risk of war, including nuclear war, the nuclear-weapon States with the most important nuclear arsenals should seek deep and verifiable reduction in their nuclear arsenals [to equal levels in a more stable configuration].] Pending the achievement of nuclear disarmament for which negotiations should be relentlessly pursued all States should co-operate for the adoption of practical and appropriate measures to prevent the outbreak of a nuclear war and to avoid the use of nuclear weapons.

In this context account should be taken of existing undertakings by nuclear-weapon States about no-first-use of nuclear weapons as well as about non-use of any weapons except in response to an attack. In addition, it should be borne in mind that the situation in the wake of any use of nuclear weapons cannot be limited or controlled and would lead to a global war endangering the very survival of human civilization as it is known. It is therefore incumbent on all States, in particular, nuclear-weapon States to ensure that their future actions, policies and agreements [rule out the use of nuclear weapons.] [are conducive to the elimination of nuclear weapons].]

8. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons:

The nuclear-weapon States should take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. Bearing in mind the declarations made by the nuclear-weapon States, efforts should be pursued to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

9. Nuclear non-proliferation:

It is imperative, as an integral part of the effort to halt and reverse the arms race, to prevent the proliferation of nuclear weapons. The goal of nuclear non-proliferation is on the one hand to prevent the emergence of any additional nuclear-weapon States besides the existing five nuclear-weapon States, and on the other progressively to reduce and eventually eliminate nuclear weapons altogether. This involves obligations and responsibilities on the part of both nuclear-weapon States and non-nuclear-weapon States, the former undertaking to stop the nuclear arms race and to achieve nuclear disarmament by urgent application of the measures outlined in the relevant paragraphs of the Final Document, and all States undertaking to prevent the spread of nuclear weapons.

Effective measures can and should be taken at the national level and through international agreements to minimize the danger of the proliferation of nuclear weapons without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes. Therefore, the nuclear-weapon States and the non-nuclear-weapon States should jointly take further steps to develop an international consensus of ways and means, on a universal and non-discriminatory basis, to prevent the proliferation of nuclear weapons.

Full implementation of all the provisions of existing instruments on non-proliferation, such as the Treaty on the Non-Proliferation of Nuclear Weapons and/or the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco) and the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga) by States parties to those instruments will be an important contribution to this end. Adherence to such instruments has increased in recent years and the hope has been expressed by the parties that this trend might continue.

Non-proliferation measures should not jeopardize the full exercise of the inalienable rights of all States to apply and develop their programmes for the peaceful uses of nuclear energy for economic and social development in conformity with their priorities, interests and needs. All States should also have access to and be free to acquire technology, equipment and materials for peaceful uses of nuclear energy, taking into account the particular needs of the developing countries. International co-operation in this field should be under agreed and appropriate international safeguards applied through the International Atomic Energy Agency on a non-discriminatory basis in order to prevent effectively the proliferation of nuclear weapons.

Each country's choices and decisions in the field of the peaceful uses of nuclear energy should be respected without jeopardizing their respective fuel cycle policies or international co-operation, agreements and contracts for the peaceful uses of nuclear energy, provided that the agreed safeguard measures mentioned above are applied.

In accordance with the principles and provisions of General Assembly resolution 32/50 of 8 December 1977, international co-operation for the promotion of the transfer and utilization of nuclear technology for economic and social development, especially in the developing countries, should be strengthened.

10. Establishment of nuclear-weapon-free zones:

Bearing in mind the importance of significant nuclear arms reductions and other measures discussed in this chapter, the establishment of nuclear-weapon-free zones, on the basis of agreements or arrangements freely arrived at among the States of the region concerned, [can] constitute[s] an important [disarmament] [nuclear non-proliferation] measure. The process of establishing nuclear-weapon-free zones [that will enhance world-wide security and stability] in different parts of the world should be encouraged, with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account. The States participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements or arrangements establishing the zones, thus ensuring that they are genuinely free from nuclear weapons. With respect to such zones, the nuclear-weapon States in turn are called upon to give undertakings, the modalities of which are to be negotiated with the competent authority of each zone, in particular:

(a) to respect strictly the status of the nuclear-weapon-free zone;

(b) to refrain from the use or threat of use of nuclear weapons against the States of the zones.

The following nuclear-weapon-free zones have been established:

(a) In Latin America, under the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco). In this respect, the States concerned should adopt all relevant measures to ensure the full application of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), taking into account the views expressed on the adherence to it at the tenth special session of the General Assembly, the General Conferences of OPANAL and other relevant fora, and including ratification of Additional Protocol I by all States concerned.

(b) In the South Pacific, under the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga). In this respect and in view of the measures undertaken by the Parties to the Treaty, the attention of the States concerned is drawn to the Protocols attached to the Treaty, with relevant measures which they are invited to undertake.

Other international legal instruments which give comparable nuclear-weapon-free status to their respective area of application are, inter alia, the Antarctic Treaty, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies and the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Seabed and the Ocean Floor and in the Sub-soil Thereof.

In the light of existing conditions, where the establishment of nuclear-weapon-free zones has been proposed, and without prejudice to efforts for establishing nuclear-weapon-free zones in other regions, the following measures, among others, should be considered:

(a) In Africa, the Organization of African Unity has affirmed the denuclearization of the continent. The United Nations General Assembly in successive resolutions has supported the African initiative for the denuclearization of the continent and at its tenth special session the General Assembly, by consensus, called upon the Security Council to take appropriate effective steps to prevent the frustration of this objective.

(b) The establishment of a nuclear-weapon-free zone in the Middle East in compliance with General Assembly resolution 35/147 would greatly enhance international peace and security. Pending the establishment of such a zone in the region, States of the region should solemnly declare that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, and agree to place all their nuclear activities under International Atomic Energy Agency safeguards. Consideration should be given to a Security Council role in advancing the establishment of a nuclear-weapon-free zone in the Middle East.

(c) All States in the region of South Asia have expressed their determination to keep their countries free of nuclear weapons. No action should be taken by them which might deviate from that objective. In this context, the question of establishing a nuclear-weapon-free zone in South Asia has been dealt with in several resolutions of the General Assembly, which is keeping the subject under consideration.

(d) [Efforts to create nuclear-weapon-free zones in other regions of the world should be promoted at the initiative of States which intend to become part of the zone.]

[Specific proposals have been put forward for the establishment of a zone free of nuclear weapons in the Balkans. Regional States have expressed their determination to undertake individual or joint steps to bring about the withdrawal of nuclear weapons and to set up such a zone. Interested Balkan countries have engaged in a process of bilateral and multilateral dialogue on practical measures aimed at creating a nuclear-weapon-free zone and enhancing security, confidence, good neighbourliness and co-operation.]

[It was proposed that negotiations be opened without delay on the establishment of a nuclear-weapon-free corridor in Central Europe. It is suggested that the corridor - from the territory of which all nuclear-weapon systems should be removed - should range approximately 150 kilometres along both sides of the borderline between the Federal Republic of Germany on one side and the German Democratic Republic and the Czechoslovak Socialist Republic on the other. At a subsequent stage, it would be expanded to cover the whole area of Central Europe as defined for the purpose of the Vienna negotiations on mutual reductions of armed forces and armaments in Central Europe.] */

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*/ The proposal for a corridor free from battlefield nuclear weapons in Central Europe was first suggested by the Independent Commission on Disarmament and Security Issues (now known as the Palme Commission. One delegation emphasized that such a corridor would not constitute a nuclear-weapon-free-zone as defined in the present paragraph. Some delegations emphasized that a nuclear-weapon-free corridor (also widely referred to as a "zone") when, as proposed, expanded to cover the whole area of Central Europe, would in effect become a nuclear-weapon-free zone.

[Implementation of the plan for reducing armaments and increasing confidence in Central Europe which, inter alia, provides for gradual disengagement and reduction of jointly agreed operational and battlefield kinds of nuclear arms, so that all types of nuclear arms would be covered by international negotiations and agreements.]

[The right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons from their respective territories is internationally recognized. Efforts to create nuclear-weapon-free zones in other regions of the world have been undertaken at the initiative of States which intend to become part of the zone. Not all States have formally recognized these proposals.

Proposals for the establishment of nuclear-weapon-free zones have been put forward for various parts of Europe, including the Balkans, Central Europe and Northern Europe. Not all States in the respective areas have yet agreed on the merits of establishing such zones.]

(e) [Ensuring that the zones are genuinely free from nuclear weapons and respect for such zones by nuclear-weapon States constitute an important disarmament measure.]

B. Other weapons of mass destruction

1. All States should adhere to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

2. All States which have not yet done so should accelerate the process of adhering to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction.

3. It is necessary to make all possible efforts for the early achievement at the negotiations in the Conference on Disarmament of an international convention on the complete and effective prohibition of the development, production, stockpiling and use of all chemical weapons and on their destruction.

4. An international treaty on the prohibition of the development, production, stockpiling and use of radiological weapons should be concluded, bearing in mind the negotiations under way in the Conference on Disarmament and all proposals made in connection therewith.

5. Effective measures should be taken to avoid the danger and prevent the emergence of new types of weapons of mass destruction based on new scientific principles and achievements. Efforts should be appropriately pursued aiming at the prohibition of such types and systems of weapons. Specific agreements could be concluded on particular types of new weapons of mass destruction which may be identified. This question should be kept under continuing review.

C. Conventional weapons and armed forces

1. Together with negotiations on nuclear disarmament measures, the limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament. States with the largest military arsenals have a special responsibility in pursuing the process of conventional armaments reductions.

2. */ In view of the present situation where the concentration of troops and armaments in Europe **/ has reached an especially high level, it is necessary to strengthen strategic stability through the establishment, at a significantly lower level, of a stable, comprehensive and verifiable balance of conventional forces. The more stable situation should be achieved by agreements on appropriate and mutual reductions and limitations in the whole of Europe and on effective confidence- and security-building measures, taking into account the need to dispel the mutual suspicion and distrust accumulated over many years.

Such steps should ensure undiminished security of all States with full respect for the security interests and independence of all States, including those outside military alliances.

The agreement on a set of confidence- and security-building measures at the Conference on Confidence- and Security-Building Measures and Disarmament in Europe, held in Stockholm, represents a new step of great political importance. Its full implementation will reduce the dangers of armed conflict and of misunderstanding or miscalculation of military activities in that region. The agreed measures are of military significance and politically binding and are provided with adequate forms of verification which correspond to their content.

On the basis of equality of rights, balance and reciprocity, equal respect for the security interests of all CSCE participating States, and of their respective obligations concerning confidence- and security-building measures and disarmament in Europe, these confidence- and security-building measures cover the whole of Europe as well as the adjoining sea area ***/ and air space, whenever notifiable military activities affect security in Europe as well as constitute a part of activities taking place within the whole of Europe.

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*/ The mentioning of Vienna negotiations and the Stockholm Conference under the heading "Conventional weapons and armed forces" is without prejudice to the content of talks in those fora.

**/ With the common understanding that this does not refer to neutral and non-aligned States.

***/ In this context, the notion of adjoining sea area is understood to refer also to ocean areas adjoining Europe.

The positive results obtained at the Stockholm Conference show that, despite differences of opinion, concrete and verifiable agreements are possible in the sensitive field of military security. Their implementation is appropriate for furthering the process of confidence-building and improving security, making an important contribution to developing co-operation in Europe, thereby contributing to international peace and security in the world as a whole. */

3. Agreements or other measures should be resolutely pursued on a bilateral, regional and multilateral basis with the aim of strengthening peace and security at a lower level of forces, by the limitation and reduction of armed forces and of conventional weapons, taking into account the need of States to protect their security, bearing in mind the inherent right of self-defence embodied in the Charter of the United Nations and without prejudice to the principle of equal rights and self-determination of peoples in accordance with the Charter and the need to ensure balance at each stage and undiminished security of all States. Such measures might include the following:

(a) Bilateral, regional and multilateral consultations and conferences should be held where appropriate conditions exist with the participation of all the countries concerned for the consideration of different aspects of conventional disarmament, such as the initiative envisaged in the Declaration of Ayacucho subscribed to by eight Latin American countries on 9 December 1974.

(b) Consultations should be carried out among major arms suppliers and recipient countries on the limitation of all types of international transfer of conventional weapons, based in particular on the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into account the need of all States to protect their security as well as the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligations of States to respect that right, in accordance with the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States.

4. Prohibition or restrictions of use of certain conventional weapons, including those which may cause unnecessary suffering or which may have indiscriminate effects:

(a) Adherence by all States to the agreement adopted by the United Nations Conference on Prohibition or Restrictions of Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

(b) Broadening of the prohibition or restrictions of use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, either through amendments to the existing Protocols or through the conclusion of additional Protocols, in accordance

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*/ Further formulations on confidence- and security-building measures and disarmament in Europe should be possible on the basis of work under way in Vienna.

with Article 8 of the Convention on Prohibition or Restrictions of Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

(c) The result of the above-mentioned Conference should be considered by all States, especially producer States, in regard to the question of the transfer of such weapons to other States.

D. Military budgets */

1. Gradual reduction of military budgets on a mutually agreed basis, for example, in absolute figures or in terms of percentage points, particularly by nuclear-weapon States and other militarily significant States, would be a measure that would contribute to the curbing of the arms race and would increase the possibilities of reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries.

2. The basis for implementing this measure will have to be agreed by all participating States and will require ways and means of its implementation acceptable to all of them, taking account of the problems involved in assessing the relative significance of reductions as among different States and with due regard to the proposals of States on all the aspects of reduction of military budgets.

3. The General Assembly should continue to consider what concrete steps should be taken to facilitate the reduction of military budgets, bearing in mind the relevant proposals and documents of the United Nations on this question.

E. Related measures

1. Further steps to prohibit military or any other hostile use of environmental modification techniques:

Review of the need for a further prohibition of military or any other hostile use of environmental modification techniques with a view to the adoption of further measures to eliminate the danger to mankind from such use.

2. Further steps to prevent an arms race on the sea-bed and the ocean floor and the subsoil thereof:

Consideration of further measures in the field of disarmament for the prevention of an arms race on the sea-bed and the ocean floor and in the subsoil thereof in order to promote the peaceful use of, and to avoid an arms race in, that environment, taking into account, as appropriate, the United Nations Convention on the Law of the Sea and the proposals made during the First and Second Review Conferences of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, as well as any relevant technological developments.

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*/ One delegation reserves its position on the inclusion of the current text in the Comprehensive Programme of Disarmament.

3. */ In order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.

All States, in particular those with major space capabilities, should contribute actively to the objective of the peaceful use of outer space and take immediate measures to prevent an arms race in outer space in the interest of maintaining international peace and security and promoting international co-operation and understanding. **/

To this end all effective efforts should be made both bilaterally and multilaterally.

In this regard bilateral negotiations have been undertaken and should be continued to work out effective agreements on the prevention of an arms race in outer space. The two parties are requested to continue to keep the Conference on Disarmament and the United Nations General Assembly informed of the progress made in their bilateral sessions in order to facilitate multilateral work on this subject.

Efforts should be made by the Conference on Disarmament in the exercise of its responsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document of the tenth special session of the General Assembly and which has a primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space. ***/

[4. The establishment of zones of peace: ****/

The establishment of zones of peace in various regions of the world under appropriate conditions, to be clearly defined and determined freely by the States concerned in the zone, taking into account the characteristics of the

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*/ The placement of this paragraph in the Comprehensive Programme of Disarmament will be determined later.

**/ Some delegations reserved their position on the first two paragraphs until the language of this entire section is completed and its placement resolved.

***/ Many delegations consider that the first paragraph, which reproduces paragraph 80 of the Final Document of the first special session of the General Assembly devoted to disarmament, should be supplemented to reflect that present urgency and importance of the subject. They further consider that it should occupy a more prominent place in the Programme and, to that end, propose that it be included as subsection B in the section "Disarmament measures", under the heading "Prevention of an arms race in outer space". Other delegations are considering the placement of this paragraph pending the balance of the overall document.

****/ There were also proposals concerning measures related to the Asian and Pacific Ocean region (CD/CPD/WP.85) and to the area of the South Pacific (CD/CPD/WP.91).

zone and the principles of the Charter of the United Nations, and in conformity with international law, can contribute to strengthening the security of States within such zones and to international peace and security as a whole.

(a) South-East Asia:

In the interest of the promotion of peace, stability and co-operation in South-East Asia, steps should be taken by all States of the region, primarily those States most directly interested, through consultations and dialogue among themselves, towards the early establishment of a zone of peace, freedom and neutrality in South-East Asia, which would be consistent with the Political Declaration of the Seventh Summit Conference of the Non-Aligned Countries in New Delhi, held in March 1983. */

(b) Indian Ocean:

Achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace would be a substantial contribution to the strengthening of international peace and security.

There is agreement within the United Nations for practical steps to be taken to establish a Zone of Peace in the Indian Ocean region.

Practical steps should be taken within the United Nations Ad Hoc Committee on the Indian Ocean to prepare for an early Conference, as a necessary step towards establishing a zone of peace.

Taking into account the political and security climate in the region, the Ad Hoc Committee should complete its preparatory work relating to the Conference on the Indian Ocean to enable the Conference to be opened at a date not later than 1990 to be decided by the Committee in consultation with the host country. Such preparatory work would comprise organizational matters and substantive issues, including the provisional agenda for the Conference, rules of procedure, participation, stages of conference, level of representation, documentation, consideration of appropriate arrangements for any international agreements that may ultimately be reached for the maintenance of the Indian Ocean as a zone of peace and the preparation of the draft final document of the Conference.

The Ad Hoc Committee should, at the same time, seek the necessary harmonization of views on remaining relevant issues.

The creation of a zone of peace requires the active participation of and full co-operation among the littoral and hinterland States, the permanent members of the Security Council and the major maritime users to ensure conditions of peace and security based on the purposes and principles of the Charter, as well as the general principles of international law.

The creation of a zone of peace also requires respect for the independence, sovereignty and territorial integrity of the littoral and hinterland States.

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*/ One delegation reserves its position on this text.

(c) Mediterranean:

Bearing in mind that security in the Mediterranean region is closely linked with European security and with international peace and security, positive steps should be taken by all States concerned to ensure peace, security and co-operation in the Mediterranean region.

To this end further efforts are necessary for the reduction of tensions and of armaments; for strengthening of confidence; for the creation of conditions of security and fruitful co-operation in all fields for all countries and peoples of the Mediterranean, on the basis of the principles of sovereignty, independence, territorial integrity, security, non-intervention and non-interference, non-violation of international borders, non-use of force or threat of use of force, the inadmissibility of the acquisition of territory by force, peaceful settlement of disputes and respect for permanent sovereignty over natural resources; for the promotion of just and viable solutions of existing problems and crisis in the area on the basis of the provisions of the Charter and of relevant resolutions of the United Nations, the withdrawal of foreign forces of occupation and the right of peoples under colonial or foreign domination to self-determination and independence.

The States of the Mediterranean region and other concerned States should co-operate to define and implement, as appropriate, such steps and measures which should be conducive for creating conditions of peace, security and co-operation in the Mediterranean region in accordance with the purposes and principles of the Charter of the United Nations and with the provisions of the Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations.

In this connection note is taken of the commitments assumed by the participants of the meeting of the Mediterranean members of the Movement of the Non-Aligned Countries held at Valletta, Malta in 1984, and at Brioni, Yugoslavia, in 1987, with the objective of contributing to peace and security in the region. */

[(d) South Atlantic:

The declaration of the Zone of Peace and Co-operation of the South Atlantic constitutes a concrete step towards the goals set forth by the international community to be achieved through the establishment of zones of peace in various regions of the world for the benefit of all mankind, thereby contributing significantly to the strengthening of international peace and security and to the promotion of the principles and purposes of the United Nations. In this context, it is recognized that the States of the region have a special interest and responsibility to promote regional co-operation for economic development and peace.

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*/ There was a proposal for the convening of a conference on the Mediterranean region (CD/CPD/WP.85).

States of other regions, in particular militarily significant States, should scrupulously respect the South Atlantic region as a zone of peace and co-operation, especially through the reduction and eventual elimination of their military presence there, the non-introduction of nuclear weapons or other weapons of mass destruction and the non-extension into the region of rivalries and conflicts foreign to it.

All States of the region and of all other regions should co-operate in the elimination of all sources of tension in the zone, respect the national unity, sovereignty, political independence and territorial integrity of every State therein, refrain from the threat or use of force, and strictly observe the principle that the acquisition of territory by force is inadmissible.

The elimination of apartheid and the attainment of self-determination and independence by the people of Namibia, as well as the cessation of all acts of aggression and subversion against States in the zone are essential for peace and security in the region. To that end, implementation of all United Nations resolutions pertaining to colonialism, racism and apartheid is urgently required.]]

OTHER MEASURES

1. Confidence-building measures

In order to facilitate the process of disarmament, it is necessary to take measures and pursue policies to strengthen international peace and security and to build confidence among States. Commitment to confidence-building measures could significantly contribute to preparing for further progress in disarmament. For this purpose, measures such as the following, and other measures yet to be agreed upon, should be undertaken:

(a) The prevention of attacks which take place by accident, miscalculation or communications failure by taking steps to improve communications between Governments, particularly in areas of tensions, by the establishment of "hot lines" and other methods of reducing the risk of conflict;

(b) States should assess the possible implications of their military research and development for existing agreements as well as for further efforts in the field of disarmament;

(c) States should consider implementing measures based on the principles of openness and transparency, such as the provision of objective information on military matters.

2. Prevention of the use of force in international relations

(a) Strict adherence and full commitment by all States Members of the United Nations to the purposes of the Charter of the United Nations and their obligation strictly to observe its principles as well as other relevant and generally accepted principles of international law relating to the maintenance of international peace and security, in particular the principles of refraining from the threat or use of force against the sovereignty, territorial integrity or political independence of any States or against

peoples under colonial or foreign domination seeking to exercise their right to self-determination and to achieve independence, non-acquisition and non-annexation of territories by force and non-recognition of such acquisition or annexation, non-intervention and non-interference in the internal affairs of other States; the inviolability of international frontiers; and the peaceful settlement of disputes, having regard to the inherent right of States to individual and collective self-defence in accordance with the Charter.

(b) Strengthening the role of the United Nations in the maintenance of international peace and security and full implementation of the decisions of the Security Council by all States Members of the United Nations in accordance with their obligations under Article 25 of the United Nations Charter.

3. World public opinion in favour of disarmament

Knowledge of facts and opinions about the armaments race and the efforts to halt and reverse it is an essential condition for world public opinion to mobilize in favour of disarmament. In order to inform world public opinion on such issues, the specific measures set forth below, designed to increase the dissemination of information on these matters should be adopted in all regions in a balanced, factual and objective manner:

(a) Throughout the implementation of the programme, therefore, governmental and non-governmental information organs of Member States and those of the United Nations and its specialized agencies as well as non-governmental organizations should be encouraged, as appropriate, to undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations and their results, particularly by means of annual activities conducted in connection with Disarmament Week.

(b) With a view to contributing to a greater understanding and awareness of the problems created by the armaments race and the need for disarmament, Governments and governmental and non-governmental international organizations are urged to take steps to develop programmes for disarmament and peace studies at all levels.

(c) The World Disarmament Campaign, which was solemnly launched by the General Assembly at the opening meeting of its second special session devoted to disarmament, should provide an opportunity for discussion and debate in all countries on all points of view relating to disarmament issues, objectives and conditions. The Campaign has three primary purposes: to inform, to educate and to generate public understanding for the objectives of the United Nations in the field of arms limitation and disarmament.

(d) As part of the process of facilitating the consideration of issues in the field of disarmament, studies on specific questions should be undertaken on the decision of the General Assembly, when necessary for preparing the ground for negotiations or reaching agreement. Also, studies pursued under the auspices of the United Nations, in particular by the United Nations Institute for Disarmament Research could bring a useful contribution to the knowledge and exploration of disarmament problems, especially in the long term.

(e) Member States should be encouraged to make all efforts to ensure a better flow of information with regard to the various aspects of disarmament issues, to avoid dissemination of false and tendentious information concerning armaments, and to concentrate on the widest possible dissemination and unimpeded access for all sectors of the public to a broad range of information and opinion on the danger of the escalation of the armaments race and on the need for general and complete disarmament under effective international control.

4. Verification

Disarmament and arms limitation agreements should provide for adequate measures of verification satisfactory to all parties concerned in order to create the necessary confidence and ensure that they are being observed by all parties. The form and modalities of the verification to be provided for in any specific agreement depend upon and should be determined by the purposes, scope and nature of the agreement. Agreements should provide for the participation of parties directly or through the United Nations system in the verification process. Where appropriate, a combination of several methods of verification as well as other compliance procedures should be employed.

In order to facilitate the conclusion and effective implementation of disarmament agreements and to create confidence, States should accept appropriate provisions for verification in such agreements.

In the context of international disarmament negotiations, the problem of verification should be further examined and adequate methods and procedures in this field be considered. Every effort should be made to develop appropriate methods and procedures which are non-discriminatory and which do not unduly interfere with the internal affairs of other States or jeopardize their economic and social development.

Adequate and effective verification requires employment of different techniques, such as national technical means, international technical means and international procedures, including on-site inspections. Verification arrangements should be addressed at the outset and at every stage of negotiations on specific agreements. All States have equal rights to participate in the process of international verification of agreements to which they are parties.

All States parties to arms limitation and disarmament agreements should strictly implement and fully comply with the entirety of the provisions of such agreements if individual nations and the international community are to derive enhanced security from them. Any violation of such agreements not only adversely affects the security of States parties, but can also create security risks for other States relying on the constraints and commitments stipulated in those agreements. Weakening of confidence in such agreements diminishes their contribution to global and regional stability and to further disarmament and arms limitation efforts and undermines the credibility and effectiveness of the international legal system. States parties should support efforts aimed at the resolution of non-compliance questions, with a view to encouraging strict observance by all parties of the provisions of such agreements and maintaining or restoring the integrity of such agreements.

[DISARMAMENT AND DEVELOPMENT

1. In view of the relationship between expenditure on armaments and economic and social development, the implementation of the Comprehensive Programme of Disarmament should make an effective contribution to economic and social development of all States, in particular of the developing countries. In this context, it is of particular significance that substantial progress in disarmament should be made in accordance with the responsibility that each State bears in the field of disarmament, so that real resources now being used for military purposes can be released to economic and social development in the world, particularly for the benefit of the developing countries.

2. Disarmament would contribute over the long term to the effective economic and social development of all States, in particular developing countries, by contributing towards reducing the economic disparities between developed and developing countries and establishing [the] [a] new international order on the basis of justice, equity and co-operation and towards solving other global problems.

3. The Secretary-General shall periodically submit reports to the General Assembly on the economic and social consequences of the armaments race and its extremely harmful effects on world peace and security.]

[DISARMAMENT AND INTERNATIONAL SECURITY

Progress in disarmament should be accompanied by measures to strengthen institutions for maintaining peace and the settlement of international disputes by peaceful means. During and after the implementation of the programme of general and complete disarmament, there should be taken, in accordance with the principles of the Charter of the United Nations, the necessary measures to maintain international peace and security, including the obligation of States to place at the disposal of the United Nations agreed manpower necessary for an international peace force to be equipped with agreed types of armaments. Arrangements for the use of this force should ensure that the United Nations can effectively deter or suppress any threat or use of arms in violation of the purposes and principles of the United Nations.]

Intermediate Stage */

[1. The intermediate stage should start no later than 1990 and last five to seven years.

2. The USSR and the United States should go on with the reduction agreed upon during the first stage and also carry out further measures designed to eliminate their medium-range nuclear weapons and freeze their tactical nuclear systems.

3. Other nuclear-weapon States should pledge to freeze all their nuclear weapons and also not to station them in the territories of other countries.

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*/ The heading is without prejudice to the position of delegations with respect to questions relating to stages of implementation.

4. All nuclear-weapon States should eliminate their tactical nuclear arms, i.e. weapons having a range (or radius of action) of up to 1,000 km. This measure should be taken after the completion by the USSR and the United States of the 50 per cent reduction of their nuclear weapons that can reach each other's territory.

5. The Soviet-American accord on the prohibition of space-strike weapons should become multilateral with the mandatory participation in it of major industrial States.

6. All nuclear-weapon States should cease nuclear-weapon tests.

7. There should be a ban on the development of non-nuclear weapons based on new physical principles, whose destructive capacity is close to that of nuclear arms or other weapons of mass destruction.] */

Last stage **/

[1. The last stage should begin no later than 1995. During this stage the elimination of all remaining nuclear weapons should be completed. By the end of 1999 there should be no more nuclear weapons on earth.

2. A universal accord should be worked out to ensure that nuclear weapons never again come into being.

3. The last stage should be completed by the end of 1999.] ***/

VI. Machinery and Procedures

1. The United Nations [, in accordance with the Charter,] should continue to have a central role and primary responsibility in the sphere of disarmament.

2. Negotiations on multilateral measures of disarmament envisaged in the Comprehensive Programme of Disarmament should, as a rule, be conducted in the Conference on Disarmament, the single multilateral negotiating body in the field of disarmament.

3. Bilateral and regional disarmament negotiations may also play an important role and could facilitate negotiations of multilateral agreements in the field of disarmament.

4. The United Nations should be kept duly informed through the General Assembly, or any other appropriate United Nations channel reaching all Members of the Organization, of all disarmament efforts outside its aegis without prejudice to the progress of negotiations.

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*/ Some delegations reserved their position on these paragraphs which represent the position of one group of States.

**/ The heading is without prejudice to the position of delegations with respect to questions relating to stages of implementation.

***/ Some delegations reserved their position on these paragraphs which represent the position of one group of States.

5. The Programme has three stages: The first stage, the intermediate stage and the last stage. The objective of the last stage is to achieve the goal of general and complete disarmament under effective international control. The general wish being to complete the disarmament process, all efforts should be made to implement each stage, as well as the Programme as a whole at the earliest possible date in such a way as to contribute to the security of States and enhance international security.

In the first stage of the Programme, all States should make maximum efforts towards implementation of the priority measures and as many other measures included therein as possible.

Those measures that have not been implemented by the end of the first stage will be included in the intermediate stage. The scope of disarmament measures during the intermediate stage will depend on the progress made in the implementation of the first stage. In addition, the intermediate stage comprises the measures necessary to prepare for the last stage. The time of the implementation of the intermediate stage would depend on the measures included therein.

The last stage comprises the total elimination of nuclear weapons and the implementation of other measures necessary to assure that, by the end of the stage, general and complete disarmament under effective international control will have been achieved.

6. All efforts should be made by States, particularly through the conduct of negotiations in good faith, on specific arms limitation and disarmament measures, to achieve the goal of general and complete disarmament, as defined in the Comprehensive Programme. In order to assure continued progress towards the full realization of this ultimate goal, there shall be reviews - including at special sessions of the General Assembly devoted to disarmament - of the implementation of the measures included in the various stages of the Comprehensive Programme. The first such review will take place on a date to be decided by the United Nations General Assembly and will:

(a) review the implementation of measures included in the first stage of the Comprehensive Programme;

(b) consider the readjustments that need to be made in the Programme in the light of the review and the steps that need to be taken to stimulate progress in its implementation;

(c) elaborate, if necessary, in more concrete terms further measures, taking into account the progress made so far and other relevant developments; and

(d) recommend the date of the next review.

7. In addition to the periodic reviews to be carried out at special sessions, there should be an annual review of the implementation of the Programme. Therefore, an item entitled "Review of the implementation of the Comprehensive Programme of Disarmament" should be annually included on the agenda of the regular sessions of the General Assembly. To facilitate the work of the Assembly in this regard, the Secretary-General should annually submit a report to the General Assembly on progress in the implementation of the Programme.

8. During its annual review, or at its periodic special sessions to review the implementation of the Comprehensive Programme of Disarmament, the General Assembly may, as appropriate, consider and recommend further measures and procedures to enhance the implementation of the Programme.

9. In the implementation of the Comprehensive Programme of Disarmament, the Disarmament Commission shall continue functioning as a deliberative body, a subsidiary organ of the General Assembly, and shall consider and make recommendations on various problems in the field of disarmament.

10. Proposals listed in paragraph 125 of the Final Document of the first special session and annex II of the Concluding Document of the second special session devoted to disarmament should be considered, and decisions taken, at an appropriate time.

11. At the earliest appropriate time, a world disarmament conference should be convened with universal participation and with adequate preparation.

CONFERENCE ON DISARMAMENT

CD/868
2 September 1988

Original: ENGLISH

AD HOC COMMITTEE ON EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

Report to the Conference on Disarmament

I. Introduction

1. At its 436th plenary meeting on 2 February 1988 the Conference on Disarmament decided to re-establish for the duration of its 1988 session, an ad hoc committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. It decided that the Ad Hoc Committee would report to the Conference on the progress of its work before the conclusion of the first part of the 1988 session in view of the forthcoming third special session of the General Assembly devoted to disarmament. It further decided that the Ad Hoc Committee would report to the Conference before the conclusion of the second part of the 1988 session (CD/801).

2. Accordingly, at the conclusion of the first part of the session, the Ad Hoc Committee submitted a special report to the Conference on the state of negotiations on the question, taking into account negotiations conducted since August 1982 (CD/825).

3. In addition, the Ad Hoc Committee is submitting the present report on its work during the 1988 session. This report focusses on the negotiations and discussions held during the second part of the session and does not duplicate the section of the Special Report dealing with the present state of negotiations.

II. Organization of work and documents

4. At its 439th plenary meeting on 11 February 1988, the Conference on Disarmament appointed Ambassador Dimitar Kostov (Bulgaria) as Chairman of the Ad Hoc Committee. During the first part of the session, Ambassador Konstantin Tellalov (Bulgaria) served as Chairman of the Ad Hoc Committee in the absence of Ambassador Kostov. Mr. M. Cassandra, United Nations Department for Disarmament Affairs, served as Secretary of the Ad Hoc Committee.

GE.88-64294

5. The Ad Hoc Committee held 16 meetings between 1 March and 2 September 1988.

6. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee during the 1988 session: Austria, Finland, Greece, Ireland, New Zealand, Norway, Portugal, Spain and Zimbabwe.

7. The following new documents were submitted to the Conference in connection with the item during the 1988 session:

> Document CD/SA/WP.12 dated 25 August 1988 and Rev.1 dated 2 September 1988, submitted by the Chairman, entitled "Chairman's Discussion Paper: Elements of a 'Common Formula' of Negative Security Assurances (NSA)".

In addition, the Secretariat brought up-to-date the list of documents on the question of Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons, as contained in document CD/SA/WP.1/Rev.5 of 2 September 1988.

III. Substantive Work

8. As mentioned above, the state of negotiations at the end of the first part of the 1988 session is reflected in the Ad Hoc Committee's Special Report to the Conference in view of the third special session of the General Assembly devoted to disarmament (CD/825, paras. 12-20). A summary of the general exchange of views during the first part of the session is given below, in paragraphs 9 to 13.

9. A number of delegations reiterated their long-standing belief that the most effective guarantee against the use or threat of use of nuclear weapons was nuclear disarmament and the prohibition of nuclear weapons. They held that pending the achievement of that goal, negative security assurances were an indispensable measure to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. In their view, nuclear-weapon States had an obligation to guarantee, in clear and categorical terms and in an internationally binding form, that non-nuclear-weapon States would not be attacked or threatened with nuclear weapons. They remained convinced that the existing unilateral declarations fell far short of the credible assurances sought by non-nuclear-weapon States. They continued to assert their belief that, in order to be effective, those assurances must be unconditional, without qualification, not subject to divergent interpretation and unlimited in scope, application and duration. Those delegations maintained that Article 51 of the United Nations Charter could not be invoked to justify the use or threat of use of nuclear weapons in the exercise of the right of self-defence in the case of armed attack not involving the use of nuclear weapons, since nuclear war would threaten the very survival of mankind. They once again expressed the apprehension that a situation whereby some nuclear-weapon States claimed the right to use nuclear weapons against non-nuclear-weapon States would weaken the non-proliferation régime. They also continued to maintain that assurances sought by non-nuclear-weapon States could best be provided by an international instrument with binding legal effect. They called upon the

concerned nuclear-weapon States to demonstrate a genuine will to reach a satisfactory agreement and review their positions so as to remove the limitations, conditions and exceptions contained in their unilateral declarations. Several delegations also held that insistence on unilateral declarations by nuclear-weapon States introduced a new element in multilateral disarmament negotiations which undermined the sovereignty of States. Similarly, these delegations felt that insistence on the part of the non-nuclear-weapon States on unconditional assurances without due regard to the security concerns of the nuclear-weapon States would be unfruitful, unrealistic and unattainable. These delegations felt that security assurances must be effectively negotiated taking into full consideration the realities of the security situation of the present day. A number of delegations recalled that the Treaty of Tlatelolco on a nuclear-weapon-free zone in Latin America which includes two Protocols contains negative security assurances.

10. A number of delegations, including a nuclear-weapon State, restated that they shared the belief that the most effective and reliable guarantee against the use or threat of use of nuclear weapons was nuclear disarmament and the complete elimination of nuclear weapons. They held the view that pending the achievement of that objective, various interim measures should be taken to strengthen the security of non-nuclear-weapon States. These delegations referred to proposals, such as the prohibition of the use of nuclear weapons by an appropriate international convention, the assumption of a policy of non-first-use of such weapons by all nuclear-weapon States which would actually preclude the use of nuclear weapons against all States, including the non-nuclear-weapon States, the establishment of nuclear-weapon-free zones as an effective means to ensure the necessary prerequisites for all nuclear-weapon States to assume obligations not to use or threaten to use nuclear weapons against the zonal non-nuclear-weapon States. They maintained their support for the conclusion of an international legally binding instrument to assure effectively, uniformly and unconditionally the non-nuclear-weapon States having no nuclear weapons on their territories against the use or threat of use of such weapons. These delegations underlined that the guarantee of non-use of nuclear weapons given by the nuclear-weapon State belonging to that group of delegations was valid for all such non-nuclear-weapon States irrespective of their adherence to an alliance. They also reaffirmed the validity of the obligation of that nuclear-weapon State not to be the first to use nuclear weapons. That nuclear-weapon State pointed to the fact that it had provided relevant guarantees to the States Parties to the Tlatelolco Treaty and had ratified Protocols 2 and 3 to the Treaty of Rarotonga without any reservations. It also stated that, in the event of a nuclear-weapon-free zone being created in the Balkans, it would be ready to provide all necessary guarantees to the States parties to the zone. They were of the view that the military doctrines of military alliances, particularly of the nuclear-weapon States parties to those alliances, had a most direct bearing on the security assurances to non-nuclear-weapon States. These delegations rejected the doctrine of nuclear deterrence based on a first-use of nuclear weapons and pointed to the need for a fresh political and military approach to urgent security issues, many of which relate to the security of non-nuclear-weapon States as well. They supported the view that Article 51 of the United Nations Charter could not be invoked to justify the use or threat of use of nuclear weapons in the exercise of the right of self-defence in the case of armed attack not involving the use of nuclear weapons, since nuclear war would threaten the very survival of mankind.

11. A number of delegations, including three nuclear-weapon States, while reasserting the importance they attached to the question, underlined that for the discussions on the subject to be successful they needed to be placed squarely in the framework of the agreed mandate and should be marked by a spirit of realism. These delegations continued to believe in the fundamental importance of adherence by member States to the commitment contained in Article 2 of the Charter to refrain from the use or threat of use of force against the territorial integrity or political independence of any State. They also stressed again that Article 51 of the United Nations Charter states that nothing shall impair the inherent right of individual or collective self-defence if an armed attack occurred against a member. These delegations stressed that it was justified that the States renouncing the possession of nuclear weapons should receive in return the assurance that these weapons would not be used against them. They held that such an assurance, however, should remain qualified by a provision of non-attack in alliance or in association with a nuclear-weapon State. These delegations underlined the fact that the assurances given by the three nuclear-weapon States were valid for all non-nuclear-weapon States, irrespective of their formal adherence to an alliance or of their non-aligned status. They stated that the condition that the guarantee lapses in the event of an attack covers all contingencies and indeed strengthens the credibility of the assurances. They asserted that the unilateral assurances given by the three Western nuclear-weapon States were firm, credible and reliable commitments and that they constituted effective security measures for non-nuclear-weapon States. They reaffirmed the validity of proposals for General Assembly or Security Council resolutions taking stock of the declarations of the nuclear-weapon States.

12. A number of delegations drew attention to the Second Protocol of the South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga) which contains negative security assurances and expressed the hope that all nuclear-weapon States would adhere to it without reservation.

13. One nuclear-weapon State reasserted its long-held view that it was entirely reasonable and legitimate for non-nuclear-weapon States to demand that nuclear-weapon States undertake not to use or threaten to use nuclear weapons against them. It was of the view that the most effective assurances for the security of non-nuclear-weapon States was the complete prohibition and thorough destruction of nuclear weapons and pending the achievement of that goal, in order to prevent nuclear war and reduce the threat to non-nuclear-weapon States, all nuclear-weapon States should assume obligations not to be the first to use nuclear weapons under any circumstances and undertake unconditionally not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones. This was their minimum obligation. It restated that on this basis, an international treaty on the prohibition of the use of nuclear weapons should be concluded, with the participation of all nuclear-weapon States. The same State reiterated its unilateral declaration made in 1964 when it had its first nuclear explosion that at no time and under no circumstances would it be the first to use nuclear weapons and its unconditional guarantee not to use or threaten to use nuclear weapons against non-nuclear-weapon States and nuclear-weapon-free zones. It stated that it was based on this position that it signed the relevant protocols to the Treaty for the Prohibition of Nuclear Weapons in Latin America and the South Pacific Nuclear Free Zone Treaty. At the same time, it hoped that the major nuclear-weapon States would adjust their positions towards the question of assuring the security of non-nuclear-weapon States so as to make it possible for the Ad Hoc Committee to move forward in its work. It expressed its support for the conclusion, through negotiations, of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

14. At the beginning of the second part of the session the Chairman suggested that the Ad Hoc Committee continue its work from the point where it had adjourned during the first part of the session and to that end put forward the following list of issues to be considered during the remainder of the session:

"1. Examination of and negotiation on existing proposals and future initiatives on:

(a) "common formula" of security assurances to be included in an international legally-binding instrument

- single "common formula" approach

- categorizational approach (one "common formula" for each category of non-nuclear-weapon States)

- possible alternative options

(b) interim arrangements.

2. Conclusions."

In order to facilitate discussion on these issues, the Chairman presented a discussion paper (CD/SA/WP.12 and Rev.1) entitled, "Elements of a "Common Formula" of Negative Security Assurances". The paper compiles, in a structured way, many ideas on the subject raised during discussions at meetings of the Committee. The Chairman expressed the hope that the discussion paper would be up-dated in light of future developments on the question. He also noted that the paper should not be viewed as prejudicial to the position of any country nor as endorsing any particular approach. It was generally felt that the Chairman's discussion paper like other papers and proposals before the Committee could make a useful contribution to the work of the Committee.

15. In accordance with the Chairman's list of issues, the Ad Hoc Committee continued examination of and negotiation on the concept of a "common formula" of security assurances. In this connection, all delegations reasserted their readiness to seek agreement on a "common formula" acceptable to all to be included in an international instrument of legally-binding character. As in the past, the Ad Hoc Committee continued to concentrate its discussions primarily on the scope and the nature of the arrangements on the understanding that an agreement on the substance of the arrangements could facilitate agreement on the form.

16. The Ad Hoc Committee once again considered the single "common formula" approach to the question, whereby a formula common to all nuclear weapon States would be agreed upon to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Some delegations suggested that based on the work of previous years, useful consideration could be given to the following not mutually exclusive alternatives in the search for a "common formula": (a) a categorical negative security assurance formula accompanied by interpretative statements by nuclear-weapons States; (b) a "common formula" containing elements to be raised and agreed upon by all parties concerned; and (c) a "common formula" reconciling the elements of the existing security assurances declarations. Several delegations commented on

the different qualifications contained in the existing unilateral security assurance declarations of the nuclear-weapon States and some questions relevant to the substance of those declarations were addressed to nuclear-weapon States. The nuclear-weapon States to which these questions were addressed undertook to give considered responses at a later date. Some delegations recalled the views expressed by the Group of 21 in document CD/280 and reaffirmed that only a single "common formula" without limitations, conditions and exceptions would be acceptable. While supporting this view, several delegations pointed again to the need for security assurances to be effectively negotiated taking into consideration realities of the security situation of the present day. Other delegations stated that under a possible single "common formula" arrangement, they would favour a non-use formulation which would clearly stipulate in objective terms the minimal qualifications of non-nuclear-weapon States for receiving legally-binding negative security assurances and which would not contain elements susceptible to subjective interpretations. Still other delegations, maintaining their view that the common ground should embody two elements, namely, the status of non-nuclear-weapon States and a non-attack provision, stressed that a "common formula" not embodying those two elements would weaken the existing system of negative security assurances. One delegation, while reiterating its readiness to seek a "common formula" to assure all non-nuclear-weapon States against the use or threat of use of nuclear weapons, asserted its willingness to agree upon a formula in consonance with the demands of these States.

17. In connection with the single "common formula" approach, the Ad Hoc Committee discussed in a preliminary fashion the alternative option proposed during the first part of the 1988 session, and discussed in paragraph 13 of the Special Report (CD/825). According to that proposal, nuclear-weapon States would set aside their various unilateral declarations to facilitate effective negotiations and the adoption of a convention on the basis of a common approach or formula. In addition, any nuclear-weapon State would have the right to make reservations reflecting its unilateral declarations while ratifying such a convention. Several comments were made on the concept of an international instrument of this type. Some delegations expressed the view that it was an interesting possible step but that it needed further development and should be considered again in the future. Some delegations drew attention to the need for reciprocity of the obligations of the nuclear and non-nuclear-weapon States to be reflected in such an international instrument. Furthermore, they pointed out that nuclear-weapon States might use the opportunity of ratification of an international instrument along these lines to improve the substance of their unilateral declarations of non-use. In addition, some other delegations expressed the view that some form of verification procedures would need to be included in any international instrument of this kind. Some delegations maintained that a single "common formula" to which any nuclear-weapon State would have the right to make reservations would not be credible and would not meet the legitimate security concerns of the non-nuclear-weapon States. In this connection, they recalled the statement of the Group of 21 contained in CD/280 and reiterated that to be credible the assurances against the use or threat of use of nuclear weapons should be without limitations, conditions and exceptions.

18. Another focus of consideration during the second part of the session were proposals before the Ad Hoc Committee which suggest a "categorizational approach" to the concept of "common formula". According to this approach, nuclear-weapon States would give negative security assurances to categories of

non-nuclear-weapon States along lines of certain criteria presently contained in the unilateral declarations of the nuclear-weapon States in order to take into account the diversity of their security situations. Thus, one specific "common formula" would be developed for each category of non-nuclear-weapon States. This approach was proposed in document CD/768 of 7 July 1987. Earlier a similar approach had been discussed in 1983 (see Report to the Committee on Disarmament, CD/417 of 22 August 1983). Some delegations were convinced that the rationale for a categorizational approach naturally flowed from repeated failure to reach agreement acceptable to all on the single "common formula" approach. They were of the view that this categorizational approach could help break the deadlock that has existed in the work of the Ad Hoc Committee and try to reach a stable consensus on more realistic and practical ways of arriving at a solution acceptable to all. Referring to the merits of that approach, these delegations pointed out that it could allow for the "common formulas" of the respective categories of non-nuclear-weapon States to be unconditional. They also believed that all non-nuclear-weapon States could be assured in this manner in accordance with the principle of reciprocity of status of obligations of non-nuclear and nuclear-weapon States. These delegations further suggested that this approach could be applied on a stage-by-stage basis, starting with the largest and easiest category of non-nuclear-weapon States not parties to a military alliance of collective defence with a nuclear-weapon State. Subsequently the remaining categories of States could be similarly guaranteed in a legally-binding form. These delegations pointed out that the single "common formula" approach and the categorizational approach do not necessarily exclude each other when viewed in a more general perspective. On the contrary, they believed that these two approaches might be complementary if seen in the context of a gradual process of developing a global negative security assurance system acceptable to all non-nuclear-weapon States. Some other delegations maintained that the categorisational approach would complicate the search for a "common formula" which could be included in an international instrument of a legally-binding character. They pointed out that despite differences over the scope and contents of a "common formula" which had prevented agreement on the question, a consensus had so far existed that only a single "common formula" offered a practical and acceptable solution to the problem. This consensus, these delegations said, should not be undermined. They also questioned the categorisational approach on the ground that it implied that non-nuclear-weapon States should fulfil certain conditions before they became eligible for assurances against the use or threat of use of nuclear weapons. Such an approach, these delegations explained, would not be acceptable as these States had unconditionally renounced the nuclear weapon option and were therefore entitled to unconditional assurances. Still other delegations stated that extending assurances to categories of non-nuclear-weapon States would have the effect of limiting the scope of the existing unilateral security assurances declarations made by the nuclear-weapon States.

19. The Ad Hoc Committee held a structured and goal-oriented debate in which some new ideas were explored and a clearer understanding of the many issues involved was achieved. However, the deliberations on the various approaches during the second part of the session, which included consideration of possibilities for alternative action, once again proved inconclusive. Some delegations suggested that an interesting perspective might be emerging, in light of the proposals and ideas put forward this year, which opened the possibility of formulating a new strategy, realistically taking into account the interests of all non-nuclear-weapon States in an overall step-by-step

development of the existing negative security assurance global system. In this context, they pointed to the need for a fresh look at the issue, especially in view of the qualitatively improved political environment. They also held that the proposals and ideas put forward provide a useful basis for further constructive work. Some other delegations welcomed the presentation of certain new proposals which they regarded as interesting options in the search for a "common formula". They also welcomed the in-depth exchange on those proposals that took place this year. However, they underlined that the discussions had not, in their view, opened any broad perspective for a solution to the issue. They shared the view expressed above that the discussions this year could serve as a valuable point of departure for future consideration of the question. In the view of many delegations the discussions held in the Committee once again underlined that the impasse on the question could be broken only if the nuclear-weapon States, which had a special responsibility in this regard, demonstrated a genuine will to reach a satisfactory solution which took into account the security concerns of States which had voluntarily renounced nuclear weapons. These delegations urged the concerned nuclear-weapon States to have a frresh look at the issue with a view to removing the limitations, conditions and exceptions contained in their unilateral declarations.

IV. Conclusions and recommendations

20. The Ad Hoc Committee reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons pending effective measures of nuclear disarmament. There was continuing recognition of the need for concluding such effective international arrangements. Considerable efforts were made to arrive at a common approach on the subject. Work on the substance of the arrangements, however, revealed that specific difficulties relating to differing perceptions of security interests of nuclear-weapon States and non-nuclear-weapon States persisted and that the complex nature of the issues involved continued to prevent agreement on a "common formula" which could be included in an international legally-binding instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. At the same time, the discussion underlined that all delegations supported and expressed their readiness to continue the search for a common approach on the substance of negative security assurances and, in particular, on such a "common formula".

21. Against the aforementioned background the Ad Hoc Committee recommends to the Conference on Disarmament that ways and means should continue to be explored to overcome the difficulties encountered in its work in carrying out negotiations on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Accordingly, it was generally agreed that the Ad Hoc Committee should be re-established at the beginning of the 1989 session.

CONFERENCE ON DISARMAMENT

CD/869
CD/CW/WP.210
6 September 1988

Original: ENGLISH

FEDERAL REPUBLIC OF GERMANY

Working Paper

Verification of Non-production of Chemical Weapons

Ad hoc checks

Since the submission of CD/791 of 25 January 1988, the idea of ad hoc checks as an additional instrument for verifying the non-production of chemical weapons has attracted considerable attention. Taking account of comments that have been made on this issue within the Ad hoc Committee on Chemical Weapons, the present working paper endeavours to further elaborate on the concept of ad hoc checks with a view to providing a basis for future discussions.

I.

1. An affective system for verifying non-production of chemical weapons is of crucial importance. The system developed in the current rolling text (CD/831 of 20 April 1988) is based on the matrix system contained in Annexes [1], [2] and [3] to Article VI. This approach provides for routine and systematic verification measures, which are graded in their intrusiveness in accordance with the respective relevance to a CW ban of the substances listed in those annexes. This is and should remain the foundation for effective and viable verification of non-production. Ad hoc checks are of a complementary nature, the system serving as a basic point of reference for them.

2. Under the existing provisions of Annexes [1], [2] and [3] of Article VI only a limited number of facilities of the chemical industry would have to be declared. Indeed a considerably larger number of facilities would remain undeclared and thus would also not be subject to any systematic international monitoring. In many cases, States would not have to declare a single facility of their chemical industry.

In order to come to close this "verification gap" ad hoc checks are being proposed. According to this concept, the International Inspectorate is entitled to carry out routine on-site inspections in all production facilities of the chemical industry.

II.

1. To ensure the routine character of ad hoc checks, the facilities to be inspected should be selected at random. The International Inspectorate should not depend on information provided by other States Parties when selecting a facility.

For the purpose of strengthening the routine character of ad hoc checks, an elaborate system of passive quotas to be assigned to individual States Parties possibly on the basis of the number of production facilities declared for the purpose of ad hoc checks in that state had been mentioned. However, such a quota system might unduly restrict the flexibility necessary for the efficient handling of ad hoc checks. It could turn them into a cumbersome and thus possibly less effective means of verification. Still the question of inspection quotas could merit further exploration.

The Technical Secretariat would anyhow only be able to carry out ad hoc checks within the limits of its budget and the personnel available to it for this purpose. Consequently certain constraints would already exist. In addition, one should proceed from the assumption that the Technical Secretariat would apply ad hoc checks in an impartial, equitable and balanced manner. Any suspicion that political considerations played a part in the implementation of ad hoc checks or in the selection of a facility to be inspected could undermine the standing and position of the Technical Secretariat and thus adversely affect its ability to perform its functions effectively. Furthermore, allegations of abuse of ad hoc checks by the Technical Secretariat would be a serious matter which could be raised in the political organs of the organization, i.e. the Executive Council and the General Conference. Any abuse would not go unnoticed, nor would it be tolerated.

2. To be able to carry out ad hoc checks effectively, the Technical Secretariat needs to have a clear picture of the world's chemical industry. To this end it is proposed that national registers be established on the basis of an agreed definition of the term "chemical industry". In order to arrive at such a definition expeditiously use should be made of already existing, internationally accepted industry classifications. The harmonized lists of the Customs Co-operation Council could play a useful role in this regard. The

categorization provided in those lists might be taken as a basis for identifying those kinds of activities. (Production of certain chemical substances or groups of substances which have to be considered in this context.) Certain categories of facilities which, owing to the type of their production, are obviously not capable of producing any chemicals relevant to the CW Convention may be excluded from the definition.

On the basis of this definition each State Party to the Convention would establish a national register of its chemical industry to be submitted to the Technical Secretariat. In this register all facilities beyond an agreed production capacity (level to be determined according to military significance of possible annual production) should be listed.

The national registers would also contain information on the main orientation and principal products of each facility listed.

3. The national registers would provided a useful basis for the selection of facilities to be inspected by means of ad hoc checks. The selection would be made at random by the International Inspectorate, and by it alone. In making the selection the inspectors would also take account of a weighting factor: the main orientation of principal products of the facilities. In other words, a facility which might be considered more relevant due to this factor could more readily be chosen and possibly be inspected more often than some other facilities listed (for example, a facility producing organophosphorous compounds can be expected to be a more likely candidate for ad hoc checks than a facility which produces soap). After an initial check the Inspectorate might also consider the intensity with which that particular facility should be monitored by ad hoc checks in the future.

As the national registers would list all facilities of the chemical industry also those already declared under Annexes [1], [2] and [3] to Article VI would also be included.

4. By their very nature ad hoc checks would not be very intrusive, their sole purpose being to ascertain whether, the time of the check, substances listed in Annexes [1], [2] and [3] to Article VI and not reported for the facility in question are being produced there. Only if such an undeclared production is detected should further investigations to establish whether production is in amounts above declaration thresholds be permitted.

In view of the large number of facilities which would be subject to ad hoc checks, it does not seem practicable to make the elaboration of facility attachments for them a requirement for the implementation of ad hoc checks. In view of the limited purpose of ad hoc checks, facility attachments

would also seem unnecessary. The inspectors carrying out ad hoc checks would be highly qualified and familiar with the basic features of chemical facilities. In addition they would be entitled to proper and precise information to be provided to them by the manager/operator of the facility to be checked. Under these circumstances the effective implementation of ad hoc checks (taking of samples at the right spot, analysis of samples on site) would seem to be possible without difficulties.

III.

For illustrative purposes and with a view to providing a possible basis for further discussions on the concept of ad hoc checks, the following wording of an Annex to Article VI dealing with ad hoc checks is suggested for consideration:

GENERAL PROVISIONS

1. The International Inspectorate shall be entitled to carry out ad hoc checks at short notice in production facilities of the chemical industry.

2. The purpose of these checks is to verify on a routine basis whether, at the time of the check, substances listed in Annexes [1], [2] and [3] to Article VI and not reported for the facility in question are being produced there.

3. Ad hoc checks shall be implemented in the least instrusive manner possible.

4. Each State Party undertakes to grant to the International Inspectorate access to all facilities of its chemical industry as required and in accordance with the stated purpose of the requested ad hoc check. The Technical Secretariat shall conclude specific framework agreements with each State Party.

NATIONAL REGISTERS

5. For the purposes of this Convention, "chemical industry" is defined as follows: (to be developed; definition to be based upon harmonized lists of the Customs Co-operation Council and possibly to be included in Article II).

6. On the basis of this definition each State Party shall submit to the Technical Secretariat a national register of its chemical industry. This national register, which shall be submitted according to an agreed format, shall include the following information:

- name of each facility and of the owner, company or enterprise operating the facility,
- exact location of each facility,
- main orientation of each facility,
- principal products of each facility.

(The question of production capacity thresholds for the inclusion of facilities in national registers needs further consideration).

7. Each State Party undertakes to update the national register annually.

INITIATION OF AD HOC CHECKS

8. A State Party shall be notified by the Technical Secretariat of the intended ad hoc check in a particular facility ... hours prior to the arrival of the inspection team.

9. The facility to be inspected for the purpose of verifying on a routine basis whether, at the time of the check, substances listed in Annexes [1], [2] and [3] to Article VI are being produced, shall be chosen by the Technical Secretariat in such a way as to preclude any prediction. As a rule, the facilities to be inspected shall be selected at random (to be developed).

10. The International Inspectorate shall not base its decision to carry out a specific ad hoc check on information submitted by other States Parties.

CONDUCT OF AD HOC CHECKS

11. The State Party concerned shall ensure that the inspection team can arrive at the chosen facility in the shortest possible time and in any case not later than ... hours after the decision to carry out the ad hoc check was notified to it. Such preparations shall also include provision for the expeditious transportation of the inspection team from the point of entry on the territory of the State Party to the facility (details to be worked out in the framework agreements mentioned in para. 5 above).

12. The receiving State Party shall provide the inspection team upon its arrival with the information requested in so far as this is necessary to enable it to carry out the ad hoc check effectively and expeditiously.

13. The State Party receiving an ad hoc check shall have the right to accompany the International Inspectors and observe all their verification activities at the facility.

14. The inspection team shall restrict its access to those areas of the facility in question, which are relevant (to be developed) to checking whether, at the time of the check, substances listed in the Annexes to Article VI are being produced.

15. In making the check the inspection team shall not examine what substances not listed in Annexes [1], [2] and [3] to Article VI are being produced. Nor shall it establish other facts beyond the purpose of the check as described in paragraph 2 of this Annex. The inspection team shall ensure this by choosing its inspection methods accordingly (to be developed).

16. All necessary analyses shall be performed on-site. There shall be no transfer of samples off-site. The inspection team shall only use such agreed instruments as may be necessary for the performance of its task. The State Party receiving the inspection has the right to inspect any instrument used by the International Inspectorate and have it tested in its presence.

17. Only if the production of substances listed in Annexes [1], [2] and [3] to Article VI and not declared for the facility is ascertained, shall further investigations be conducted to establish whether the production is in excess for the declaration thresholds.

SUBMISSION OF INSPECTOR'S REPORT

18. After each ad hoc check, the inspection team shall submit a report with its findings to the Technical Secretariat, which shall transmit a copy of this report to the State Party having received the ad hoc check. Information obtained during the inspection shall be treated as confidential (procedures to be developed).

FINANCING

19. The budget of the International Organization shall contain a special section on ad hoc checks. There shall be no transfers from this section to other sections of the budget or vice versa.

CONFERENCE ON DISARMAMENT

CD/870
12 September 1988

Original: ENGLISH

REPORT OF THE AD HOC COMMITTEE ON PREVENTION OF AN ARMS RACE IN OUTER SPACE

I. INTRODUCTION

1. At its 446th plenary meeting, on 8 March 1988, the Conference on Disarmament adopted the following decision:

> "In the exercise of its reponsibilities as the multilateral disarmament negotiating forum in accordance with paragraph 120 of the Final Document of the first special session of the General Assembly devoted to disarmament, the Conference on Disarmament decides to re-establish an Ad Hoc Committee under Item 5 of its agenda entitled 'Prevention of an arms race in outer space'.
>
> The Conference requests the Ad Hoc Committee, in discharging that responsibility, to continue to examine, and to identify, through substantive and general consideration, issues relevant to the prevention of an arms race in outer space.
>
> The Ad Hoc Committee in carrying out this work, will take into account all existing agreements, existing proposals and future initiatives as well as developments which have taken place since the establishment of the Ad Hoc Committee, in 1985.
>
> The Ad Hoc Committee will report to the Conference on the progress of its work before the conclusion of the first part of its 1988 session, in view of the forthcoming third special session of the General Assembly devoted to disarmament. It will also report to the Conference before the conclusion of the second part of its 1988 session."

In that connection, the President of the Conference and various delegations made statements regarding the scope of the mandate. All those statements made possible the adoption of the mandate.

2. Pursuant to its mandate, the Ad Hoc Committee submitted to the Conference on Disarmament a special report covering the consideration of agenda item 5 during 1985, 1986, 1987 and the first part of the 1988 session. At its 462nd plenary meeting, on 29 April 1988, the Conference adopted the report of the Committee which is an integral part of the special report submitted by the Conference to the General Assembly at its third special session devoted to Disarmament (CD/834).

II. ORGANIZATION OF WORK AND DOCUMENTS

3. At its 446th plenary meeting, on 8 March 1988, the Conference on Disarmament appointed Ambassador Adolfo Taylhardat (Venezuela) as Chairman of the Ad Hoc Committee. Miss Aida Luisa Levin, Senior Political Affairs Officer, United Nations Department of Disarmament Affairs, continued to serve as the Committee's Secretary.

4. The Ad Hoc Committee held 17 meetings between 8 March and 7 September 1988.

5. At their request, the Conference on Disarmament decided to invite the representatives of the following States not members of the Conference to participate in the meetings of the Ad Hoc Committee: Austria, Denmark, Finland, Greece, Ireland, New Zealand, Norway, Portugal, Senegal, Spain, Switzerland, Turkey and Zimbabwe.

6. In addition to the documents of the previous sessions and those submitted during the first part of the 1988 session, 1/ the Ad Hoc Committee had before it the following new documents:

CD/851 Proposed amendment to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, submitted by Venezuela (also issued as CD/OS/WP.24).

The Committee also had before it the following new working papers:

CD/OS/WP.23 Letter dated 23 May 1988 addressed to the Secretary-General of the Conference on Disarmament from the Permanent Representative of Canada, transmitting documents relating to the prevention of an arms race in outer space;

CD/OS/WP.24 Proposed amendment to the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, submitted by Venezuela (also issued as CD/851);

CD/OS/WP.25 Working paper entitled "Strengthening of State practice under the Convention on Registration of Objects Launched into Outer Space, to provide more timely and specific information concerning the function of satellites, including whether the satellite is fulfilling a civilian or military mission", submitted by Australia and Canada;

CD/OS/WP.26 Working paper entitled "Arms control and outer space. A retrospective review: 1982-1987", submitted by Canada;

CD/OS/WP.27 Working paper on the use of certain terms relating to arms control and outer space, submitted by Canada.

III. SUBSTANTIVE WORK DURING THE 1988 SESSION

7. Following an initial exchange of views and consultations held by the Chairman with Members of different groups, the Ad Hoc Committee, at its 3rd meeting on 22 March 1988, adopted the following programme of work for the 1988 session:

> "1. Examination and identification of issues relevant to the prevention of an arms race in outer space;
>
> 2. Existing agreements relevant to the prevention of an arms race in outer space;
>
> 3. Existing proposals and future initiatives on the prevention of an arms race in outer space.
>
> In carrying out its work, the Ad Hoc Committee will take into account developments which have taken place since the establishment of the Committee in 1985."

With regard to the organization of work, the Committee agreed that it would give equal treatment to the subjects covered by its mandate and specified in its programme of work. Accordingly, the Committee agreed to allocate the same number of meetings to each of those subjects, namely, issues relevant to the prevention of an arms race in outer space, existing agreements and existing proposals and future initiatives. It was noted that in accordance with rule 30 of the Rules of Procedure any member wishing to do so may discuss any subject relevant to the work of the Committee.

8. The work of the Ad Hoc Committee was governed by the mandate only.

9. The Ad Hoc Committee continued the consideration of the subjects covered by its mandate in the light of the positions and views previously set forth by delegations. 2/

10. In the course of the work, delegations discussed or referred to a number of issues relevant to the prevention of an arms race in outer space, such as: the determination of the scope and objectives of multilateral work under the agenda item, the status of outer space as the common heritage of mankind which should be used exclusively for peaceful purposes, the need to prevent an arms race in outer space, the absence, at present, of weapons in space, the identification of the functions performed by space objects, the identification of the threats confronting space objects, the relationship between the prevention of an arms race in outer space and arms limitation and disarmament measures in other areas, the relationship between bilateral and multilateral efforts to prevent an arms race in outer space, questions relating to verification and compliance and the need for information on how outer space is being used and on national space programmes of military significance. A working paper was submitted presenting a retrospective review of the evolution of some of the primary issues relevant to outer space during the period 1982-1987 (CD/OS/WP.26).

11. A group of Socialist States held also the view that in the period of growing sensitivity about the Earth's atmosphere, depletion of ozone layer, increasing fears about unintended climatic changes, any plans of testing and stationing of weapons in outer space for possible use, must take into account also their probable negative consequences for the Earth's delicate and still poorly understood atmospheric chemistry. These delegations believed that these questions required reflection in the work of the Ad Hoc Committee.

12. There was general recognition of the importance of the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America and it was stressed that bilateral and multilateral efforts were complementary. Many delegations emphasized that those negotiations did not diminish the urgency of multilateral negotiations and reaffirmed that, as provided for in General Assembly resolution 42/33, the Conference on Disarmament, as the single multilateral disarmament negotiating forum, had the primary role in the negotiation of a multilateral agreement or agreements, as appropriate, on the prevention of an arms race in outer space in all its aspects. They also stressed that the scope of the work of the Conference on Disarmament was global and larger than the scope of the bilateral negotiations. Some other delegations, while recognizing the need for the Conference to play a role with respect to problems relating to the prevention of an arms race in outer space, stressed that nothing should be done that would hinder the success of the bilateral negotiations. Furthermore, they believed that multilateral disarmament measures in this area could not be considered independently of developments at the bilateral level.

13. One delegation stated that outer space, as the common heritage of mankind, should be used only for peaceful purposes and in the interests of human welfare. It considered that to halt the arms race in outer space has become a new priority item in the field of disarmament. It believed that the development of space weaponry has caused a qualitative escalation in the arms race, which constitutes a new threat to international security and stability. It considered that the prohibition of space weaponry is an effective way to halt the arms race in outer space. It reiterated that the two major space powers, which possess the greatest space capacity and are engaged in developing space weapons, should commit themselves not to test, develop, produce and deploy space weapons and to destroy all their existing space weapons and on such a basis, an international agreement on the complete prohibition and destruction of space weapons should be concluded. It was of the view that at the present stage, work in the Conference on Disarmament should centre on the solution of the problems that were directly related to preventing the "weaponization" of outer space.

14. Many delegations were of the view that as a result of the work carried out in previous years, at the 1988 session, attention should be devoted to proposals for measures to prevent an arms race in outer space. They believed that the various ideas and suggestions that had been advanced provided sufficient points of convergence to move forward in that area. Accordingly, many delegations held that the Ad Hoc Committee should proceed with a more structured and goal-oriented examination of the subject. In this context, they welcomed the informal paper of the Chairman, dated 23 August 1988, containing a list of existing proposals relevant to the prevention of an arms race in outer space, as a useful basis for such a work. Some other delegations considered that, while the work of the Committee since its establishment had

contributed to a better understanding of questions relating to the prevention of an arms race in outer space, there were fundamental divergences with respect to all the subjects covered by the mandate. In their view, therefore, it was necessary to continue the examination and identification of issues relevant to the prevention of an arms race in outer space with a view to reaching a common understanding and definition of the scope and objectives of the work of the Committee. Some delegations also noted that there was no record of an informal paper of the Chairman, dated 23 August 1988. These delegations insisted that such a paper did not exist. Many delegations recalled that there were precedents in the Conference of informal documents submitted by presiding officers which have contributed to the consideration of the issues under discussion and have been referred to in relevant reports. Therefore, the fact that some delegations refused to acknowledge the existence of one such document does not diminish its usefulness for the work of the Committee.

15. A number of delegations considered that the participation of experts would contribute to the work of the Ad Hoc Committee and mentioned a number of areas where it would be desirable to have technical expertise and guidance, among them, problems of definition, questions relating to ASATs and the protection of space objects, verification and data exchanges. Some delegations favoured the establishment of a group of governmental experts and various possible mandates for such a group were suggested. Other delegations, sharing the view that experts made a valuable contribution to the work of the Committee, believed that such contribution could be made through their inclusion in delegations. In their opinion, however, the work of the Committee had not yet reached the stage where the establishment of a group of experts would be useful.

16. One delegation made a detailed presentation at the expert level of the basic principles of operation of observation satellites and the fundamental techniques of interpretation of satellites data. This presentation was highly appreciated.

17. One delegation belonging to the group of Socialist States had prepared with the help of experts and submitted for consideration by the Ad Hoc Committee a systematic analysis of major proposals, submitted by delegations of various countries in the Ad Hoc Committee on Prevention of an Arms Race in Outer Space. This set of exposés referred to the problems of ensuring immunity of satellites; prohibition of ASAT weapons; verification and monitoring issues; as well as "partial measures". That delegation pointed out that it sought to give an overall picture of submitted proposals and to identify their common points so as to ensure the best preparation possible for the future multilateral negotiations within the framework of the Conference on Disarmament on the subject of the prevention of an arms race in outer space. It held that comparative analysis of such major proposals, views and approaches of delegations made it possible to identify general approaches to solving the problems facing the Conference. This delegation stated that the Committee had accumulated a wealth of ideas and proposals and that a good basis had been established for concrete and goal-oriented work. It noted that delegations belonging to all groups of countries had presented such proposals and ideas. Thanks to the discussions it was possible to reveal the positive potential of every introduced proposal. In its view, should the proposals, that had already been introduced, be put into effect, taken as a whole they

were capable of accomplishing such a complex task as the prevention of an arms race in outer space. It was convinced that the in-depth examination of problem issues, collective experience and exchange of views would help to find common solutions leading to the elaboration of multilateral agreements. The delegations of other Socialist States expressed the view that these presentations created a good basis for practical and concrete work of the Committee.

18. One other delegation noted, however, that basic misunderstandings about the subjects in items 1 and 2 of the Ad Hoc Committee's work programme continue to exist. This delegation noted with concern that questionable definitions presented in the past during the work of the Committee have been inaccurate and non-representative. This delegation stated, furthermore, that much of the discussion on item 3 of the Committee's work programme seemed poorly prepared and reflected only rudimentary efforts to press into that area without having accumulated sufficient background and understanding.

19. Some delegations noted the 1987 UNIDIR study entitled "Disarmament: Problems Related To Outer Space", which had been prepared with the assistance of a group of qualified experts, representing various schools of thought, and submitted to the General Assembly, which noted that study in resolution 42/33. These delegations favoured extensive use of the findings of that study in the deliberations of the Ad Hoc Committee.

20. Many delegations recognized that the outer space legal régime played and continues to play a significant role for the prevention of an arms race in outer space. It is for this reason that many delegations stressed the need to consolidate and reinforce that régime and enhance its effectiveness and the importance of strict compliance with existing agreements, both bilateral and multilateral.

21. Many delegations noted the USSR/US statement at the December 1987 summit that their bilateral delegations in Geneva be instructed "to work out an agreement that would commit the sides to observe the ABM Treaty, as signed in 1972, while conducting their research, development and testing as required, which are permitted by the ABM Treaty, and not to withdraw from the ABM Treaty for a specified period of time". Delegations of Socialist States also noted that this statement was reaffirmed in the June 1988 summit.

22. One delegation pointed out that for several years one major space power has had serious concerns about non-compliance of one of the parties to the ABM Treaty. It noted that in particular, the construction of a large phased-array radar (LPAR) near Krasnoyarsk, because of its location and orientation, constitutes a significant violation of a central element of the ABM Treaty. It continued that although the latter party to the ABM Treaty has sought to convey the impression that it is addressing these concerns, it has not taken the necessary actions to resolve them. This delegation further stated that the existence of the Krasnoyarsk radar calls into question the continued viability of the ABM Treaty. It noted that unless this violation is resolved, one major space power will be forced to consider the exercise of its rights under international law to take appropriate and proportionate responses. It also noted that the radars at Thule and Fylingdales Moor are not violations of the ABM Treaty. It further stated that these two radar installations already existed when the ABM Treaty was signed in 1972 and that modernization of these installations is allowed by the Treaty.

23. Commenting on the issue, another delegation stressed that this matter should be dealt with on a bilateral basis and that the ABM Treaty provided for a mechanism of the Standing Consultative Commission (SCC) to consider the concerns raised by the sides. As regards the radar under construction near Krasnoyarsk, it reiterated that the radar was designed for tracking space objects and was not subject to the limitations of the ABM Treaty. As a good will gesture this major space power expressed its willingness to dismantle the equipment of the radar, provided agreement was reached on compliance with the ABM Treaty, as signed in 1972. This major space power in its turn expressed concern regarding compliance of the other side with the provisions of the ABM Treaty, resulting from the deployment of the large phased-array radar in Thule and the construction of a similar radar in Fylingdales Moor.

24. Various delegations, while recognizing that the legal régime placed some limitations on certain weapons and military activities in outer space, emphasized that existing legal instruments left open the possibility of the introduction of weapons in space, other than nuclear weapons or other weapons of mass destruction, and, consequently, were not sufficient to prevent an arms race in that environment, particularly in view of the rapid pace of progress in space science and technology as well as ongoing military space programmes. They believed that there was an urgent need to consolidate, reinforce, and develop that régime and enhance its effectiveness with a view to the effective prevention of an arms race in outer space.

25. Some other delegations stressed that there was already a body of international law governing activities in outer space which provided a considerable measure of prohibition and protection. They believed it was important to have a full understanding of the scope of the existing legal régime, of the inter-relationship of its provisions and of aspects related to adherence, compliance and enforcement. They also believed that the examination of that régime in the Ad Hoc Committee confirmed that there continued to be a need to arrive at a common understanding of what were permitted and prohibited uses of outer space. In this regard, an analysis of some terminological problems that had to be dealt with was presented to the Committee (CD/OS/WP.27).

26. In addition to sharing the views reflected in the above paragraph, one delegation reiterated that the existing legal régime for arms control in outer space was equitable, balanced and extensive and had been far more successful in preventing an arms race than any comparable régime on Earth. In its opinion, any problems associated with the existing legal régime would be inherent in any legal régime, no matter how developed, since a legal régime by itself is not sufficient to prevent an arms race in outer space but also requires compliance, enforcement and participation. Beyond that, this delegation believed that many of the proposals that were being discussed were based on an inadequate appreciation or flawed understanding of the existing legal régime. It considered, for instance, that proposals for banning the use of force in outer space, immunizing satellites from attack, immunizing satellite ground stations from attack and banning anti-satellite weapons were either redundant or perhaps even prejudicial to the legal controls that were already in place.

27. Some delegations stated that further specific measures aimed at preventing an arms race in outer space will not detract from the importance of the existing legal régime just as certain arms control measures currently in force did not do so in the terrestrial environment. It was also pointed out that the fact that an arms race has not yet materialized in outer space cannot be attributed to the adequacy and sufficiency of the existing legal régime.

28. Some delegations, stressing the urgency of forestalling the introduction of weapons in space, discussed comprehensive proposals for the prevention of an arms race in outer space, such as those calling for a treaty prohibiting the use of force in outer space or from space against the Earth, a treaty prohibiting the stationing of weapons of any kind in outer space and amendments to the 1967 Outer Space Treaty. In this context, some of these delegations considered that the various definitions of space weapons that had been put forward provided a good basis for working towards a comprehensive prohibition of weapons that were not yet outlawed under the existing legal régime. They also suggested that with the assistance of experts it should be possible to formulate a definition that would not only describe space weapons but also list their components. A proposal was submitted (CD/851) to amend Article IV of the Outer Space Treaty so as to make its prohibition applicable to any kind of space weapon and to include a prohibition on the development, production, storage and use of space weapons. That proposal also provided for a definition of space weapons. It was envisaged that those amendments to the Treaty would be complemented by a protocol establishing appropriate verification machinery to ensure compliance with the complete prohibition of space weapons. Another suggestion called for an amendment to the Outer Space Treaty to broaden its scope to cover any type of weapon, combined with the multilateralization of the ABM Treaty and a ban on anti-satellite systems other than space-based systems.

29. Some other delegations were not in favour of such approaches on the grounds that they did not give an accurate picture of all the threats confronting space objects and overlooked other significant factors of the military and strategic situation relevant to outer space. These delegations also held that proposals should be examined bearing in mind questions relating to compliance, verifiability, practicability and utility.

30. Some delegations, noting that existing legal restraints did not preclude the emergence of non-nuclear ASAT weapons, stressed the importance of a ban or limitations on anti-satellite weapons. A number of issues that would have to be addressed in the consideration of such a ban or limitations were identified - for example, scope of the ban, definition of ASAT weapons, the problem of dual-purpose spacecraft, means of verification. In that connection, some delegations considered that the participation of experts would assist the Ad Hoc Committee in clarifying the problems involved in those issues. Various proposals and ideas were discussed, such as: a general treaty supplemented by specific protocols applicable to different categories of satellites; prohibition of systems capable of attacking satellites in high orbit; prohibition of dedicated anti-satellite systems; a treaty that would ban the use of force against any space object, prohibit the deliberate destruction, damage or interference with the normal functioning of space objects, proscribe the development, production or deployment of ASAT weapons and provide for the destruction under international control of any existing ASAT weapons and to prevent the utilization and modification of any space

object as well as manned spacecraft for anti-satellite purposes; a ban on the testing and/or use of ASAT weapons, pending the achievement of a comprehensive ban on the development, testing, deployment and use of such weapons, on Earth, in the atmosphere or in outer space, the destruction of all existing ASAT weapons and the prohibition of the development, testing and deployment of space-based ballistic missile defence systems. Some delegations, supporting a ban on ASAT weapons, emphasized that it should protect only satellites performing peaceful functions and not those engaged in activities that threatened the security of other States or endangered the peaceful activities of other States in outer space. An ASAT ban, therefore, presupposed an agreed definition of peaceful functions and a verification system aimed at determining whether objects launched into space fulfilled that criterion. Some other delegations were of the view that the issue of defining peaceful functions would have to be resolved in the context of negotiations on an ASAT ban.

31. Some delegations considered that there were inherent difficulties in proposals for a ban or limitations on ASAT weapons and referred, in particular, to the diversity and characteristics of the potential threats to space objects, the existence of weapon systems that had an ASAT capability, the limitations of such notions as "intention" or "dedicated" for purposes of defining and prohibiting ASATs, problems of verifiability and the close link between questions relating to ASATs and matters under consideration in the bilateral negotiations. Beyond that, one delegation also elaborated on the various legal restraints that the existing legal régime already imposed on the nature, deployment and use of ASATs.

32. Other delegations gave examples of dedicated ASAT systems that have been tested despite the existing legal régime and reaffirmed the need for a comprehensive ASAT ban which could effectively close this loophole.

33. Various delegations were of the view that consideration should be given to the question of the protection of satellites and a number of proposals and ideas were examined. Some delegations considered that attempts to establish a protection régime based on a categorization of satellites would give rise to many difficulties and advocated the granting of immunity to all space objects without exception, it being understood that space weapons would be subject to an unconditional ban. Other delegations were of the view that certain distinctions should be made for purposes of immunizing satellites and various possibilities were mentioned in terms of their functions, purposes and orbit. In this connection, some delegations held that a protection régime called for improvements in the system of registration of space objects to permit the identification of the nature and missions of protected space objects. Some delegations stressed in particular that immunity should not be extended to satellites that perform military missions. One delegation suggested a step-by-step approach to the protection of satellites, including establishing within the context of existing international law and established international practice, which satellites perform functions that are in the common interest, what these common interests are and how these satellites contribute to them, after which it would be necessary to identify which satellites should be protected followed by identification of an appropriate protection régime for such satellites. In this regard this delegation recalled its proposal concerning measures to protect from attack all satellites - and their associated ground stations - that contribute to strategic stability and to verification of arms control arrangements.

34. Various other possible measures relating to the security of satellites were mentioned, such as multilateralizing the immunity provided for in certain bilateral agreements to satellites that serve as national technical means of verification, a "rules-of-the-road" agreement, the reaffirmation and development of the principle of non-interference with peaceful space activities and the elaboration of a code of conduct in outer space to prevent the risks and fears that could arise from certain manoeuvres of space objects.

35. One delegation noted that international legal instruments already existed to ensure the immunity of satellites. This delegation stated that these instruments prohibit the use of force and the threat of the use of force against satellites except in cases of self-defence. This delegation noted, however, that these instruments are not intended to compromise the inherent right of sovereign States to take adequate measures to protect themselves in the event of the threat or use of force.

36. Many delegations noted that general provisions on the prohibition of the use or threat of use of force have unfortunately not proved to be adequately binding in the past. This has necessitated the growing need for negotiation of specific disarmament agreements, for example, those relating to chemical and biological weapons, inhumane weapons, etc.

37. One delegation recalled its proposal for the conclusion of a multilateral agreement to supplement the 1972 ABM Treaty (CD/708).

38. Some delegations highlighted the contribution that confidence-building measures could make to the objective of preventing an arms race in outer space and stressed in that regard the importance of transparency in the activities of States and of accurate information on how outer space was being used. It was pointed out that to date not a single one of the space launches registered had been described as having military purposes, although well over half of space objects performed military functions. The view was expressed by another delegation that there was a need for expert examination of the parameters on which information should be provided and it was suggested that a group of experts be set up for that purpose. Some other delegations believed that the strengthening of the Registration Convention would be a valuable confidence-building measure, and they discussed various ways and means of improving the system of notification established thereunder with a view to assuring the availability of timely and adequate information on the nature and purposes of space activities. A proposal was submitted (CD/OS/WP.25), suggesting that an understanding be reached among States parties to the Convention that in discharging their reporting responsibilities they would provide timely, accurate information on the functions of a satellite, including whether it fulfilled a civilian or military mission or both. This same proposal included the suggestion that States which have launched space objects, but are not party to the Convention should join the Convention or agree to submit the same information under the terms of General Assembly resolution 1721 (XVI). A number of delegations also noted that the proposed course of action submitted in CD/OS/WP.25 would enhance confidence through the provision of more specific information regarding objects launched into space as well as through increased adherence and better compliance with an existing legal instrument. It was believed that although the Convention had not been negotiated as an agreement in the field of arms limitation and disarmament, it offered possibilities that could be used to advantage in this field. Another

view was that consideration be given to procedures to verify the accuracy of information on space objects, including verification of their nature at the launching sites. Some delegations considered that questions concerning the Registration Convention fell within the competence of the Committee on the Peaceful Uses of Outer Space. In addition, one delegation noted that the Registration Convention had been negotiated to establish an international register of space objects to give practical effect to the Convention on International Liability for Damage caused by Space Objects and held that the introduction of changes in the former entailed a high probability of introducing confusion into the latter. Some delegations pointed out that the Registration Convention, as mentioned in its preamble, has to be seen in the context of developing international law governing the exploration and use of outer space and therefore has direct relevance to the work of the Ad Hoc Committee. Some delegations suggested that besides data on objects launched into outer space, information should also be provided, in the interest of greater transparency, on ballistic missile defence research currently being carried out by some countries.

39. Referring to its proposal concerning declarations that weapons have not been deployed in outer space on a permanent basis, one delegation explained that the initiative aimed at generating a climate of confidence in the field of the prevention of an arms race in outer space. Some delegations supported the proposal and recalled that the usefulness of unilateral declarations as confidence-building measures had been acknowledged in various fields of arms limitation and disarmament. Supporting this proposal, one delegation belonging to the group of Socialist States recalled that it had stated that it would not be the first to place weapons in outer space.

40. Another delegation, commenting on the problems that in its view this proposal raised, noted that there were many kinds of weapon systems that could be used against space objects and that not all of them need necessarily be placed in space. It pointed out that those were the kinds of issues that were under discussion in the bilateral negotiations.

41. Delegations generally recognized the importance of verification in the context of measures to prevent an arms race in outer space. Some delegations considered that it should be possible to assure verification of compliance with agreements relating to the prevention of an arms race in outer space through a combination of national technical means and international procedures. It was also noted that the Outer Space Treaty contained some verification provisions. A number of delegations were of the view that verification functions should be entrusted to an international body to provide the international community with an independent capability to verify compliance. Reference was made to the proposed international satellite monitoring agency and to international co-operation for the use of Earth monitoring satellites for the verification of arms limitation and disarmament agreements. Mention was also made of the possibilities offered by the PAXSAT concept - a research programme on the feasibility of the application of remote-sensing techniques to the verification of multilateral arms limitation and disarmament agreements and covering both space-to-space and space-to-ground remote-sensing.

42. Sharing these views, delegations of a group of Socialist States underlined that the non-deployment of weapons in space should be effectively verified. They supported the creation of a world space organization which would, inter alia, perform verification functions. They were also convinced of the necessity to establish, under the auspices of the United Nations, a mechanism for wide-ranging verification of various disarmament agreements, such as an international verification agency(IVA). When established, the International Verification Agency would co-ordinate and verify compliance with agreements and treaties on specific aspects of the limitation, reduction and elimination of armaments. It could also be entrusted with the task of verifying compliance with agreements on the reduction of international tension. Another function of the agency could be to monitor the military situation in regions of conflict, with a view to taking measures to prevent military conflicts. These delegations were convinced that as applied to space, verification was called upon to ensure a resolution of two interrelated, major problems: first, to ensure a non-deployment of any weapons in space, i.e. to preserve outer space free of arms; second, to help in detecting breaches of present and future agreements aimed at preventing an arms race in space. For the purposes of solving the first problem - preventing deployment of any arms in space - the Ad Hoc Committee had the proposal entitled "Establishment of an international system of verification of the non-deployment of weapons of any kind in outer space" (CD/817). The main purpose of such a system would be to determine that objects to be launched into and stationed in space were not weapons and were not equipped with weapons of any kind. Its central element would be an international space inspectorate upon which the States parties to the agreement would confer the right of access, for inspection purposes, to any objects intended to be launched into and stationed in outer space. In order to ensure a complete ban on space weapons, measures of verification with the aid of the international space inspectorate should include, inter alia, advance submission by the receiving State to the representatives of the international space inspectorate of information on every forthcoming launch, including the date and time of launch, the type of launch vehicle, the parameters of the orbit and general information on the space object to be launched; the permanent presence of inspection teams at all sites for launching space objects in order to check all such objects irrespective of the vector; and the verification of undeclared launches from undeclared launching pads by means of extraordinary on-site inspections without right of refusal. They were convinced that on-site inspection carried out immediately prior to launchings was the most simple and effective way to be sure that objects placed into space did not carry weapons of any kind. Despite the very complex nature of space technology the verification of the presence or absence of means of warfare on a space object seemed to be relatively simple. So far, launching sites in the world were not so many, a space launch complex was something that could not be hidden, and the permanent presence of international inspectors at these launching sites would be a reliable guarantee that objects launched into space were not weapons and did not carry weapons of any kind. All States conducting space activities would be put in an absolutely equal situation while the permanent control on the part of international inspectors would guarantee the reliability of verification. Thus, the problem of preventing arms in outer space could be considered on the basis of the proposal on the international space inspectorate. The problem of a different kind, related to the previous one - detecting cases of arms already put into space - could be tackled on the basis of other proposals. The PAXSAT concept seemed to be worthy of attention.

These delegations believed that the establishment of an international space monitoring agency (ISMA), which might in future become a component of an international verification agency, could provide international community with authentic and diverse information on compliance with multilateral treaties and agreements in the area of disarmament and reducing international tensions as well as monitoring military situation in regions of conflict. Seeking to provide this idea with a practical basis delegations of Socialist States proposed to start negotiations on the Conference on Disarmament on the establishment of an international satellite monitoring agency, including the programme and material and technical basis for it.

43. Some delegations maintained that issues relating to verification and compliance needed to be considered in greater depth. They noted that many elements of the existing legal régime applicable to outer space were relatively simple and stated that the more complicated any arms control agreement for outer space was, the more difficult it would be to verify compliance with it. They believed that verification and compliance issues were particularly sensitive and complex in this area because, on the one hand, vital national security interests were at stake and, on the other hand, the vastness of space and the possibilities of concealment on Earth posed special problems. With respect to the proposal for the establishment of a world space organization, some delegations were of the opinion that its consideration was beyond the competence of the Conference on Disarmament. They also foresaw substantial legal, technical, political and organizational difficulties associated with an international verification inspectorate. In this regard, they believed that it should be kept in mind that virtually any space object, if controlled and manipulated properly, is capable of serving as a weapon. They stated that this basic fact plus many legal, technical, definitional, organizational and political obstacles bar the way to a successful international verification inspectorate.

44. One delegation stated that any type of international verification inspectorate is impractical because treaties already in place adequately regulate military activities in space, while also permitting the conduct of important national security and self-defence activities such as early warning of attack. It noted that the ABM Treaty, the Outer Space Treaty, and the Registration Convention constituted significant elements of this Treaty régime. This delegation believed, moreover, that proposals of this type could be more destabilizing than stabilizing because they could circumvent the development or compromise the effectiveness of strategic defence capabilities that threaten no one. It noted the possibility that greater reliance on effective defences against ballistic missiles could, in the future, provide a safer, more stable basis for deterrence of war than the sole reliance on the threat of nuclear retaliation. This delegation stated that to provide a fully effective layered defence, some elements of a ballistic missile defence system may need to be based in space. This delegation stated that the programme of research, development and testing related to this layered defence system is in full compliance with the 1972 ABM Treaty.

45. Commenting on the issue, another delegation stated that Article V (1) of the ABM Treaty explicitly prohibits the development, testing or deployment of ABM systems, which are, inter alia, space-based or include space-based elements. The same delegation emphasized that its State had been observing fully and precisely the ABM Treaty.

46. Some delegations noted with satisfaction that at the 1988 session the Ad Hoc Committee gave detailed consideration to concrete proposals for measures aimed at the prevention of an arms race in outer space. In their opinion, the examination of specific proposals had served to identify areas of possible convergence of views and thus provided a good basis for practical work on measures to prevent an arms race in outer space. Recognizing the complexity of the subjects under consideration and the need for further analysis, they held that relevant issues, including those concerning the legal régime applicable to outer space, could be addressed in the context of the consideration of specific proposals. They believed that the work of the Committee should continue in that direction. Some other delegations were of the view that it was necessary to continue the examination of issues relevant to the prevention of an arms race in outer space that had not been sufficiently explored. They believed that much more detailed examination had to be done before it would be possible to undertake further activities. They considered that given the divergence of views on substantive and political issues, the broad scope of individual topics and the highly technical nature of the subject, the Committee had carried out work which contributed to a better understanding of the subject, but that much remained to be accomplished within the terms of the current mandate and programme of work. They also noted that much of the discussions held on proposals clearly showed the persistence of radically different approaches to the issues and that consensus did not exist on them. Consequently, the Committee needed to continue to study all the subjects covered by the mandate and the programme of work in order to establish a common body of knowledge and understanding, and common definitions of the scope and specific objectives of multilateral efforts for the prevention of an arms race in outer space.

47. Many delegations, while recognizing the importance of substantive consideration of relevant issues, emphasized that such consideration should be an integral part of the multilateral process of elaborating concrete measures aimed at the prevention of an arms race in outer space and that it could be done in the context of considering specific proposals. They reaffirmed that the objectives of multilateral efforts in this field are clearly set out in the Final Document of the first special session of the General Assembly devoted to disarmament. They also recalled the relevant resolutions adopted by the General Assembly. In this context, these delegations stressed the indispensable role of the Conference on Disarmament as the single multilateral negotiating body on disarmament and the inscription of item 5 on its agenda. Delegations of Socialist States shared the views expressed in this paragraph.

IV. CONCLUSIONS

48. There was general recognition in the Ad Hoc Committee of the importance and urgency of preventing an arms race in outer space and readiness to contribute to that common objective. The work carried out by the Committee since its establishment contributed to the accomplishment of its task. The Committee advanced and developed further the examination and identification of various issues relevant to the prevention of an arms race in outer space. The discussions held contributed to a better understanding of a number of problems and to a clearer perception of the various positions. It was recognized that the legal régime applicable to outer space by itself does not guarantee the prevention of an arms race in outer space. There was recognition of the significant role that the legal régime applicable to outer space plays in the

prevention of an arms race in that environment and of the need to consolidate and reinforce that régime and enhance its effectiveness and of the importance of strict compliance with existing agreements, both bilateral and multilateral. In the course of the deliberations, the common interest of mankind in the exploration and use of outer space for peaceful purposes was acknowledged. In this context, there was also recognition of the importance of paragraph 80 of the Final Document of the first special session devoted to disarmament, which states that "in order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies". A preliminary consideration was given to a number of proposals and initiatives aimed at preventing an arms race in outer space and ensuring that its exploration and use will be carried out exclusively for peaceful purposes in the common interest and for the benefit of all mankind.

49. It was agreed that no effort should be spared to assure that substantive work on this agenda item will continue at the next session of the Conference. It was recommended that the Conference on Disarmament re-establish the Ad Hoc Committee on the Prevention of an Arms Race in Outer Space with an adequate mandate at the beginning of the 1989 session, taking into account all relevant factors, including the work of the Committee since 1985.

Notes

1/ The list of documents may be found in the 1985, 1986 and 1987 reports of the Ad Hoc Committee and in the special report submitted to the General Assembly at its third special session devoted to disarmament (CD/642, CD/732, CD/787 and CD/834, respectively).

2/ Those positions and views are reflected in the annual reports of the Ad Hoc Committee and in the special report submitted to the third special session of the General Assembly devoted to disarmament.

CONFERENCE ON DISARMAMENT

CD/871
CD/CW/WP.212
12 September 1988

Original: ENGLISH

German Democratic Republic

Chemical Weapons Convention

Provision of Data relevant to the Chemical Weapons Convention

I.

The German Democratic Republic does not possess any chemical weapons and has no such weapons from other States stationed on its territory.

The German Democratic Republic is neither engaged in the development of chemical weapons nor has it facilities to produce them.

II.

Chemicals listed in Schedule (1) 1/ are produced, processed or consumed in quantities permitted under the present draft of a CW-Convention.

Chemicals listed in Schedule (2) 1/ are produced, processed or consumed in two facilities. The quantities are ranging from 10 to 2,000 kilogrammes.

Chemicals listed in Schedule (3) 1/ are produced, processed or consumed in 23 facilities. The quantities are between 1 and several 10,000 tons. 2/

There is, furthermore, a very limited use of chemicals listed in Schedules (2) and (3) in small quantities, inter alia, for laboratory purposes.

To put it in detail, the following chemicals are produced, processed or consumed:

Schedule (2)

N,N - bis (2-chlorethyl)- phosphoramid-chloride
2,2-Diphenyl-2-hydroxyacetic acid

Schedule (3)

Phosphorus oxychloride
Phosphorus trichloride
Phosgene
Dimethyl phosphite
Sulphur dichloride
Hydrogen cyanide

The compilation under II was made on the basis of information gathered with the support of competent organs and institutions. It reflects the situation in 1988. The compilation is of a preliminary nature and subject to further concretization following the conclusion of the Convention. It is aimed at facilitating its completion.

Notes

1/ As tentatively agreed in the Annexes to Article VI in CD/831.

2/ Facilities producing, processing or consuming chemicals both of Schedules (2) and (3) have been counted twice.

Annex

Table 1

Facilities of the German Democratic Republic producing, processing or consuming Schedule (2) chemicals in quantities specified in the working paper

Schedule (2) chemicals	Facilities	
	Producers	Consumers */
N,N-Dialkylphosphoramidic dihalides	1	1
2,2-Diphenyl-2-hydroxyacetic acid (76-93-7)	1	1

Table 2

Facilities of the German Democratic Republic producing, processing or consuming Schedule (3) chemicals in quantities specified in the working paper

Schedule (3) chemicals	Facilities	
	Producers	Consumers **/
Phosgene (75-44-5)	3	3
Hydrogen cyanide (74-90-8)	2	6
Phosphorus oxychloride (10025-87-3)	2	9
Phosphorus trichloride (7719-12-2)	1	7
Dimethyl phosphite (868-85-9)	1	2
Sulphur dichloride (19545-99-0)	1	2

*/ Producers are included.

**/ The greater number of facilities compared with the 23 listed in the working paper result from the fact that there are facilities which produce, process or consume more than one chemical and that facilities can be both producers and consumers.

CONFERENCE ON DISARMAMENT

CD/872
12 September 1988

Original: ENGLISH

LETTER DATED 12 SEPTEMBER 1988 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA ADDRESSED TO THE SECRETARY-GENERAL OF THE CONFERENCE ON DISARMAMENT TRANSMITTING A STATEMENT MADE IN CANBERRA ON 9 SEPTEMBER 1988 BY THE AUSTRALIAN MINISTER FOR FOREIGN AFFAIRS AND TRADE, SENATOR GARETH EVANS, ON THE REPORTED USE OF CHEMICAL WEAPONS AGAINST KURDISH TRIBES IN NORTHERN IRAQ

I attach a statement made in Canberra on 9 September 1988 by the Australian Minister for Foreign Affairs and Trade, Senator Gareth Evans, on the reported use of chemical weapons against Kurdish tribes in Northern Iraq. I would be grateful if this statement could be circulated as an official document of the Conference on Disarmament.

(Signed) RICHARD BUTLER AM,
AMBASSADOR AND PERMANENT REPRESENTATIVE
OF AUSTRALIA TO THE UNITED NATIONS FOR
DISARMAMENT MATTERS,
HEAD OF DELEGATION

GE.88-64334/6303G

CANBERRA

9 September 1988

CHEMICAL WEAPONS

STATEMENT BY AUSTRALIAN MINISTER
FOR FOREIGH AFFAIRS AND TRADE

The Minister for Foreign Affairs and Trade, Senator Gareth Evans, said today that he was disturbed by persistent reports, including from refugees, that chemical weapons were being used against Kurdish tribes in Northern Iraq. Although conclusive evidence was hard to acquire because of the remoteness of the region and the nature of chemical weapons, the reports appeared to be credible and could not be ignored.

Senator Evans repeated the unequivocal condemnation of the Australian Government and people at the use, under any circumstances, of these horrifying weapons, particularly against civilian populations.

He called on the 40-member Conference on Disarmament in Geneva to redouble its efforts to conclude, as speedily as possible, a comprehensive and universal convention banning chemical weapons for all time and in all places.

The Prime Minister, Mr. Hawke, announced in New York in June this year that Australia would launch a regional initiative against chemical weapons. Australia has had initial discussions with some regional countries and a team of officials will visit ASEAN capitals in the near future to pursue this objective.

Senator Evans noted the co-operative attitude of the Australian chemical industry in the implementation of export controls to ensure that chemicals manufactured in or trans-shipped through Australia were not, even inadvertently, associated with the manufacture of chemical weapons.

CONFERENCE ON DISARMAMENT

CD/873
13 September 1988

Original: ENGLISH

LETTER DATED 2 SEPTEMBER 1988 ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT FROM THE PERMANENT REPRESENTATIVE OF FINLAND TRANSMITTING A DOCUMENT ENTITLED "COMPUTER-AIDED TECHNIQUES FOR THE VERIFICATION OF CHEMICAL DISARMAMENT; E.1 VERIFICATION DATABASE" 1/

I have the honour to transmit to you a document entitled "Computer-aided Techniques for the Verification of Chemical Disarmament; E.1 Verification Database". This report represents a further contribution by Finland to the work of the Conference on Disarmament in the field of chemical weapons.

I would appreciate it if the report were to be circulated as an official document of the Conference on Disarmament.

Olli Mennander
Ambassador
Permanent Representative

1/ A limited distribution of this document in English only has been made to the members of the Conference on Disarmament. Additional copies are available from the Permanent Mission of Finland at Geneva.

GE.88-64340/6329G

CONFERENCE ON DISARMAMENT

CD/874
12 September 1988

Original: ENGLISH

REPORT OF THE AD HOC COMMITTEE ON CHEMICAL WEAPONS TO THE CONFERENCE ON DISARMAMENT

I. INTRODUCTION

1. At its 438th plenary meeting on 9 February 1988, the Conference on Disarmament adopted the following decision on the re-establishment of the Ad Hoc Committee on Chemical Weapons (CD/805):

> "The Conference on Disarmament, keeping in mind that the negotiation of a Convention should proceed with a view to its final elaboration at the earliest possible date, in accordance with United Nations General Assembly resolution 42/37 A, and in discharging its responsibility to conduct as a priority task the negotiations on a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction, and to ensure the preparation of the convention, decides to re-establish, in accordance with its rules of procedure, for the duration of its 1988 session, the Ad Hoc Committee to continue the full and complete process of negotiations, developing and working out the convention, except for its final drafting, taking into account all existing proposals and drafts as well as future initiatives with a view to giving the Conference a possibility to achieve an agreement as soon as possible. This agreement, if possible, or a Report on the progress of the negotiations, should be recorded in the report which this Ad Hoc Committee will submit to the Conference at the end of the second part of its 1988 session.
>
> The Conference further decides that the Ad Hoc Committee will report to the Conference on the progress of its work before the conclusion of the first part of its 1988 session, in view of the convening of the Third Special Session of the General Assembly devoted to disarmament."

II. ORGANIZATION OF WORK AND DOCUMENTATION

2. At its 438th plenary meeting on 9 February 1988, the Conference on Disarmament appointed Ambassador Bogumil Sujka of Poland as Chairman of the Ad Hoc Committee. Mr. Abdelkader Bensmail, Senior Political Affairs Officer of the Department for Disarmament Affairs, continued to serve as Secretary of the Ad Hoc Committee.

3. The Ad Hoc Committee held 21 meetings from 12 February to 12 September 1988. In addition, the Chairman held a number of informal consultations with delegations.

4. At their request, the representatives of the following States not members of the Conference participated in the work of the Ad Hoc Committee: Austria, Denmark, Greece, Finland, Ireland, New Zealand, Norway, Portugal, Spain, Turkey, Switzerland and Zimbabwe.

5. In accordance with the above-mentioned decision (CD/805), the Ad Hoc Committee presented to the Conference a Special Report in view of the convening of the Third Special Session of the General Assembly devoted to disarmament (CD/831 and Corr.1) which contained an account of the work done by the Ad Hoc Committee since the Second Special Session of the General Assembly devoted to disarmament in 1982.

6. During the 1988 session, the following official documents dealing with chemical weapons were presented to the Conference on Disarmament.

- CD/789, dated 16 December 1987, entitled "Letter dated 16 December 1987 from the Representative of the Union of Soviet Socialist Republics addressed to the President of the Conference on Disarmament, transmitting a Working Paper entitled, 'Information on the presentation at the Shikhany Military Facility of standard chemical munitions and of technology for the destruction of chemical weapons at a mobile unit'".

- CD/790, dated 13 January 1988, entitled "Letter dated 12 January 1988 from the Representative of the Union of Soviet Socialist Republics, addressed to the President of the Conference on Disarmament, transmitting the text of the Statement by the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics of 26 December 1987".

- CD/791 (also issued as CD/CW/WP.183), dated 25 January 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Verification of non-production": the case for ad hoc checks".

- CD/792 (also issued as CD/CW/WP.184), dated 25 January 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Super-toxic lethal chemicals (STLCs)".

- CD/795, dated 29 January 1988, entitled "Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament on its work during the period 12-29 January 1988".

- CD/802 (also issued as CD/CW/WP.186), dated 5 February 1988), submitted by the delegation of the United States of America, entitled "Threshold for monitoring chemical activities not prohibited by a convention".

- CD/805, dated 9 February 1988, entitled "Decision on the Re-establishment of the Ad Hoc Committee on Chemical Weapons".

- CD/808 (also issued as CD/CW/WP.188), dated 19 February 1988, entitled, "Letter dated 18 February 1988 from the Representative of the Union of Soviet Socialist Republics, addressed to the President of the Conference on Disarmament, transmitting a document entitled 'Memorandum on multilateral data exchange in connection with the elaboration of a convention on the complete and general prohibition and destruction of chemical weapons (proposal by the USSR)'".

- CD/809 (also issued as CD/CW/WP.189), dated 26 February 1988, submitted by the delegation of Argentina, entitled "Assistance for protection against chemical weapons".

- CD/812, dated 4 March 1988, submitted by the delegation of the German Democratic Republic, entitled "Chemical Weapons Convention: The Executive Council: composition, size, decision-making and other procedural matters".

- CD/821 (also issued as CD/CW/WP.196), dated 29 March 1988, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Letter dated 28 March 1988 from the representative of the Union of Soviet Socialist Republics to the President of the Conference on Disarmament transmitting a text of the Statement of the Ministry of Foreign Affairs of the USSR on 16 March 1988".

- CD/822 (also issued as CD/CW/WP.197), dated 29 March 1988, submitted by the delegations of the Federal Republic of Germany and Italy, entitled "The order of destruction of chemical weapons".

- CD/823, dated 31 March 1988, submitted by the delegation of Canada, entitled "Chemical Weapons Convention: Factors involved in determining verification inspectorate personnel and resource requirements".

- CD/826, dated 11 April 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Note from the Government of the Federal Republic of Germany evoked by the recent reports about the use of chemical weapons in the war between Iraq and Iran".

- CD/827, dated 12 April 1988, entitled "Letter dated 11 April 1988 from the Permanent Representative of the Islamic Republic of Iran addressed to the President of the Conference on Disarmament, containing the list of occasions of use of chemical weapons by Iraq against Iran from January 1981 to March 1988".

- CD/828, dated 12 April 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Provisions of data relevant to the chemical weapons convention".

- CD/830 (also issued as CD/CW/WP.201), dated 19 April 1988, entitled "Letter dated 18 April 1988 from the Representative of the United States of America addressed to the President of the Conference on Disarmament transmitting the text of a document entitled 'Information presented to the visiting Soviet delegation at the Tooele Army Depot, 18-21 November 1987'".

- CD/831 and Corr.1, dated 20 April 1988, entitled "Special Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament".

- CD/843, dated 25 July 1988, submitted by the delegation of Finland, entitled "Letter dated 21 July 1988 addressed to the President of the Conference on Disarmament from the Chargé d'Affairs a.i. of Finland transmitting a document entitled, 'Standard Operating Procedures for the Verification of Chemical Disarmament: D.1. A Proposal for Procedures Supporting the Reference Database'".

- CD/849 (also issued as CD/CW/WP.205), dated 28 July 1988, submitted by the delegation of the United States of America, entitled "Destruction of Chemical Weapons Production Facilities".

- CD/854, dated 8 August 1988, submitted by the delegation of Australia, entitled "Letter dated 8 August 1988 from the Permanent Representative of Australia addressed to the Secretary-General of the Conference on Disarmament transmitting a statement by Mr. Bill Hayden M.P., Australian Minister for Foreign Affairs and Trade, dated 5 August, on the subject of the use of chemical weapons in the Gulf War".

- CD/856, dated 17 August 1988, submitted by the delegation of the United Kingdom of Great Britain and Northern Ireland, entitled "Working paper: Past production of chemical warfare agents in the United Kingdom".

- CD/857, dated 12 August 1988, submitted by the delegation of Norway, entitled "Letter dated 12 August 1988 addressed to the President of the Conference on Disarmament from the Chargé d'Affaires a.i. of Norway transmitting a Research Report entitled 'Verification of a Chemical Weapons Convention: Development of Procedures for Verification of Alleged Use of Chemical Warfare Agents. Part VII'".

- CD/861, dated 22 August 1988, submitted by the delegation of Norway, entitled "Verification of alleged use of chemical weapons".

- CD/865, dated 30 August 1988, submitted by the delegation of Canada, entitled "Letter dated 29 August 1988, addressed to the Secretary-General of the Conference of Disarmament from the Deputy Representative of Canada to the Conference on Disarmament, transmitting Compendia comprising plenary statements and working papers relating to chemical weapons from the 1987 session of the Conference on Disarmament".

- CD/869 (also issued as CD/CW/WP.210), dated 6 September 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Verification of non-production of chemical weapons: ad hoc checks".

- CD/871 (also issued as CD/CW/WP.212), dated 12 September 1988, submitted by the delegation of the German Democratic Republic, entitled "Chemical weapons convention: provision of data relevant to the chemical weapons convention".

- CD/872, dated 12 September 1988, submitted by the delegation of Australia, entitled "Letter dated 12 September 1988 from the Permanent Representative of Australia, addressed to the Secretary-General of the Conference on Disarmament transmitting a statement made in Canberra on 9 September 1988 by the Australian Minister for Foreign Affairs and Trade, Senator Gareth Evans, on the reported use of chemical weapons against Kurdish tribes in Northern Iraq".

- CD/873, dated 12 September 1988, submitted by the delegation of Finland, entitled "Letter dated 2 September 1988 addressed to the President of the Conference on Disarmament from the Permanent Representative of Finland transmitting a document entitled 'Computer-aided techniques for the verification of chemical disarmament: E.1 verification database'".

7. In addition, the following Working Papers were presented to the Ad Hoc Committee:

- CD/CW/WP.182, dated 15 January 1988, submitted by the delegation of Mongolia, entitled "Order of destruction of chemical weapons stocks".

- CD/CW/WP.183 (also issued as CD/791), dated 25 January 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Verification of non-production: the case for ad hoc checks".

- CD/CW/WP.184 (also issued as CD/792), dated 25 January 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Super-toxic lethal chemicals (STLCs)".

- CD/CW/WP.185, dated 27 January 1988, entitled "Draft Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament on its work during the period 12-19 January 1988".

- CD/CW/WP.186 (also issued as CD/802), dated 5 February 1988, submitted by the delegation of the United States of America, entitled "Thresholds for monitoring chemical activities not prohibited by a convention".

- CD/CW/WP.187, dated 12 February 1988 entitled, "Working Paper presented by the Chairman: outline for the organization and programme of work of the Ad Hoc Committee on Chemical Weapons for the first part of the 1988 session".

- CD/CW/WP.188 (also issued as CD/808), dated 19 February 1988, entitled, "Letter dated 18 February 1988 from the Representative of the Union of Soviet Socialist Republics, addressed to the President of the Conference on Disarmament, transmitting a document entitled 'Memorandum on multilateral data exchange in connection with the elaboration of a convention on the complete and general prohibition and destruction of chemical weapons (proposal by the USSR)'".

- CD/CW/WP.189 (also issued as CD/809), dated 26 February 1988, submitted by the delegation of Argentina, entitled "Assistance for protection against chemical weapons".

- CD/CW/WP.190, dated 8 March 1988, submitted by the delegation of Italy, entitled "Convention on Chemical Weapons: some remarks on the toxicity index (LD 50) chosen as parameter to identify chemicals not listed in Schedules [1], [2] or [3]".

- CD/CW/WP.191, dated 11 March 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Some aspects of a challenge inspection régime".

- CD/CW/WP.192, dated 11 March 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Non-production: Annex to Article VI [1]".

- CD/CW/WP.193, dated 18 March 1988, submitted by the delegation of Austria, entitled "Article VI".

- CD/CW/WP.194, dated 18 March 1988, submitted by the delegation of the German Democratic Republic, entitled "Chemical weapons convention: provisions to ensure the confidentiality of information provided in connection with verification activities".

- CD/CW/WP.195, dated 22 March 1988, submitted by the delegation of the German Democratic Republic, entitled "Article VI: Régime for chemicals in Schedule [1]".

- CD/CW/WP.196 (also issued as CD/821), dated 29 March 1988, entitled "Letter dated 28 March 1988 from the representative of the Union of Soviet Socialist Republics to the President of the Conference on Disarmament transmitting a text of the Statement of the Ministry of Foreign Affairs of the USSR on 16 March 1988".

- CD/CW/WP.197 (also issued as CD/822), dated 29 March 1988, submitted by the delegations of the Federal Republic of Germany and Italy, entitled "The order of destruction of chemical weapons".

- CD/CW/WP.198, dated 5 April 1988, submitted by the delegation of the German Democratic Republic, entitled "Chemical Weapons Convention: on-site inspection on challenge - guidelines on the International Inspectorate".

- CD/CW/WP.199, dated 7 April 1988, submitted by the delegation of France, entitled "Security stocks: proposed amendments".

- CD/CW/WP.200, dated 15 April 1988, entitled "Draft Special Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament".

- CD/CW/WP.201 (also issued as CD/830), dated 19 April 1988. entitled "Letter dated 18 April 1988 from the Representative of the United States of America addressed to the President of the Conference on Disarmament transmitting the text of a document entitled 'Information presented to the visiting Soviet delegation at the Tooele Army Depot, 18-21 November 1987'".

- CD/CW/WP.202, dated 8 July 1988, entitled "Programme of work for the second part of the 1988 session".

- CD/CW/WP.203, dated 19 July 1988, submitted by the delegation of the Netherlands, entitled "Provision of data relevant to the chemical weapons convention".

- CD/CW/WP.204, dated 19 July 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Verification of non-production of chemical weapons: 'Sample Now, Analyse Later' (SNAL) system for the retrospective verification of non-production".

- CD/CW/WP.205 (also issued as CD/849), dated 28 July 1988, submitted by the delegation of the United States of America, entitled "Destruction of Chemical Weapons Production Facilities".

- CD/CW/WP.206, dated 10 August 1988, submitted by the delegation of the United Kingdom of Great Britain and Northern Ireland, entitled "Provision of data relevant to the Chemical Weapons Convention".

- CD/CW/WP.207, dated 16 August 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Provision of data relevant to the Chemical Weapons Convention".

- CD/CW/WP.208, dated 26 August 1988, submitted by the delegation of the German Democratic Republic, entitled "Outline of a manual for the activities of inspectors conducting inspections under Article IX of the Convention".

- CD/CW/WP.209, dated 1 September 1988, entitled "Draft Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament".

- CD/CW/WP.210 (also issued as CD/869), dated 6 September 1988, submitted by the delegation of the Federal Republic of Germany, entitled "Verification of non-production of chemical weapons: ad hoc checks".

- CD/CW/WP.211, dated 7 September 1988, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Assessment of the French proposal on security stocks".

- CD/CW/WP.212 (also issued as CD/871), dated 12 September 1988, submitted by the delegation of the German Democratic Republic, entitled "Chemical weapons convention: provision of data relevant to the chemical weapons convention".

- CD/CW/WP.213, dated 12 September 1988, entitled: "Trial Inspections: Working Paper by the Chairman of the open-ended consultations".

III. SUBSTANTIVE WORK DURING THE 1988 SESSION

8. In accordance with its mandate, the Ad Hoc Committee continued the negotiation and further elaboration of the convention. In so doing, it utilized Appendices I, II and III of CD/795 (Report of the Ad Hoc Committee on Chemical Weapons on its work during the period 12-29 January 1988), Appendices I and II of CD/831 and Corr.1 (Special Report of the Ad Hoc Committee on Chemical Weapons to the Conference on Disarmament), as well as other proposals presented by the Chairman of the Committee and by delegations.

9. The Committee agreed to deal with all the Articles of the draft convention as follows:

Cluster I:
- Article I: General provisions on scope
- Article II: Definitions and criteria

Cluster II:
- Article III: Declarations
- Article IV: Chemical weapons
- Article V: Chemical weapons production facilities
- Article X: Assistance

Cluster III:
- Article VI: Activities not prohibited by the convention
- Article XI: Economic and technological development

Cluster IV:
- Article VII: National implementation measures
- Article VIII: The Organization
- Article IX: Consultations, co-operation and fact-finding

Cluster V:
- Article XII: Relation to other international agreements
- Article XIII: Amendments
- Article XIV: Duration, withdrawal
- Article XV: Signature, ratification, entry into force
- Article XVI: Languages
- Preamble

To this end, it was agreed that Group A, under the Chairmanship of Mr. Andrej Cima of Czechoslovakia, would deal with Articles VI and XI; that Group B, under the Chairmanship of Mr. Pablo Macedo of Mexico, would deal with Articles I, II, III, IV, V and X; and that Group C, under the Chairmanship of Mr. Sadaaki Numata of Japan, would deal with Articles VII, VIII and IX. The Chairman of the Ad Hoc Committee conducted open-ended consultations aimed at the elaboration of Articles XII, XIII, XIV, XV XVI and the Preamble. Under the auspices of the Ad Hoc Committee, and at the request of the Ad Hoc Committee Chairman, Ambassador Rolf Ekéus of Sweden held informal, open-ended consultations to prepare the ground for multilateral trial inspections in the chemical industry.

IV. CONCLUSIONS AND RECOMMENDATIONS

10. - Appendix I represents the present stage of elaboration of the provisions of the draft Convention.

- Appendix II contains papers reflecting the results of work undertaken so far on issues under the Convention. They are enclosed as a basis for future work.

11. The Ad Hoc Committee recommends to the Conference on Disarmament:

(a) that Appendix I to this Report be used for further negotiation and drafting of the Convention;

(b) that other documents reflecting the results of the work of the Ad Hoc Committee, as contained in Appendix II to this Report, together with other relevant present and future documents of the Conference, also be utilised in the further negotiation and elaboration of the Convention;

(c) that the Committee will further examine in full the question of undiminished security during the destruction period, starting with the inter-sessional work in 1988. Such further examination should include the question of the proper place in the text of the Convention for provisions concerning this issue. To this end, some material relevant to the issue is reproduced in Appendix III, on the understanding that it does not constitute a precedent for future reports.

(d) that work on the Convention, under the Chairmanship of Ambassador B. Sujka of Poland, be resumed as follows:

(i) that, in preparation for the resumed session, open-ended consultations of the Ad Hoc Committee be held between 29 November and 15 December 1988 including, when necessary, meetings with full services;

(ii) that the Ad Hoc Committee hold a session of limited duration during the period 17 January to 3 February 1989.

(e) that the Ad Hoc Committee be re-established at the outset of the 1989 session and that the decision on Chairmanship and mandate of the Ad Hoc Committee be taken at the beginning of the reconvening of the Conference in 1989.

(f) that the Conference approve the following procedure for the preparation of reports on the chemical weapons negotiations:

Documents shall only be listed in reports to the United Nations General Assembly. No document shall be listed in more than one such report.

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APPENDIX I

Preliminary structure of a Convention on chemical weapons

Preamble

I. General provisions on scope

II. Definitions and criteria

III. Declarations

IV. Chemical weapons

V. Chemical weapons production facilities

VI. Activities not prohibited by the Convention

VII. National implementation measures

VIII. The Organization

IX. Consultations, co-operation and fact finding

X. Assistance

XI. Economic and technological development

XII. Relation to other international agreements

XIII. Amendments

XIV. Duration, withdrawal

XV. Signature, ratification, entry into force

XVI. Languages

Annexes and other documents

Preamble 1/

The States Parties to this Convention,

Determined to act with a view to achieving effective progress towards general and complete disarmament under strict and effective international control, including the prohibition and elimination of all types of weapons of mass destruction,

Desiring to contribute to the realization of the purposes and principles of the Charter of the United Nations,

Recalling that the General Assembly of the United Nations Organization has repeatedly condemned all actions contrary to the principles and objectives of the Protocol for Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

Recognizing that the Convention reaffirms principles and objectives of and obligations assumed under the Geneva Protocol of 17 June 1925, and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction signed at London, Moscow and Washington on 10 April 1972,

Bearing in mind the objective contained in Article IX of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction,

Determined for the sake of all mankind, to completely exclude the possibility of the use of chemical weapons, through the implementation of the provisions of this Convention, thereby complementing the obligations assumed under the Geneva Protocol of June 1925,

Considering that the achievements in the field of chemistry should be used exclusively for the benefit of mankind,

Convinced that the complete and effective prohibition of the development, production and stockpiling of chemical weapons, and their destruction, represents a necessary step towards the achievement of these common objectives.

Have agreed as follows:

1/ Some delegations consider that the texts contained in the Preamble require further consideration.

I. GENERAL PROVISIONS ON SCOPE 1/ 2/

1. Each State Party undertakes not to:

- develop, produce, otherwise acquire, stockpile or retain chemical weapons, or transfer, directly or indirectly, chemical weapons to anyone.

2. Each State Party undertakes not to:

- assist, encourage or induce, in any way, anyone to engage in activities prohibited to Parties under this Convention.

1/ One delegation pointed out, in CD/CW/WP.199 of 7 April 1988, the preoccupying effects, in its view, on the security of States deriving from the very large disproportion, during the transitional period, between existing chemical weapons capabilities. In this context, it recalled its opinion that it is necessary to provide for the possibility, for the States which wish to do so, to establish, upon entry into force of the Convention and until the end of the 10-year period, a transitory régime organizing a limited security stock which would be destroyed during the last two years. The building up and the maintenance in good condition of this stock would be ensured by one single production facility attached to it, placed under international control, and destroyed during the ninth year.

2/ Other delegations stressed that, in their view, the continuation of the production of chemical weapons after the entry into force of the Convention would have preoccupying effects from the point of view both of the spread of chemical weapons and of the distortion of the very objective of the Convention. As to the disproportion between existing chemical weapons capabilities, the solution would be, in their view, the strict implementation of the Convention's provisions concerning the declarations, verification, continuous monitoring of stocks, their subsequent destruction and the cessation of the production of chemical weapons from the beginning.

3. Each State Party undertakes not to use chemical weapons. 1/ 2/

4. [Each State Party undertakes not to [conduct other activities in preparation for use of chemical weapons] [engage in any military preparations for use of chemical weapons].]

5. Each State Party undertakes to destroy chemical weapons which are in its possession or under its [jurisdiction or] control. 3/

6. Each State Party undertakes to destroy chemical weapons production facilities which are in its possession or under its [jurisdiction or] control.

1/ It is understood that this provision is closely linked to the definition of chemical weapons in another part of the Convention, the final formulation of which is yet to be agreed upon. It is also understood that this provision does not apply to the use of toxic chemicals and their precursors for permitted purposes still to be defined and to be provided for in the Convention. This provision is also closely linked to a provision in the Convention to be agreed upon relating to reservations.

2/ The question of herbicides is subject to ongoing consultations. The 1986 Chairman of these open-ended consultations has suggested the following formulation for a provision on herbicides: "Each State Party undertakes not to use herbicides as a method of warfare; such a prohibition should not preclude any other use of herbicides".

3/ The view was expressed that the application of this provision to the destruction of discovered old chemical weapons needs to be further discussed. Another view was expressed that the application of this provision does not allow for any exceptions.

II. DEFINITIONS AND CRITERIA

For the purposes of this Convention:

1.1/ The term "chemical weapons" shall apply to the following, together or separately: 2/

(i) toxic chemicals, including super-toxic lethal chemicals, other lethal chemicals, other harmful chemicals and their precursors, including key precursors [and key components of binary and/or multicomponent chemical systems for chemical weapons], 3/ except such chemicals intended for purposes not prohibited by the Convention as long as the types and quantities involved are consistent with such purposes;

(ii) munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals, as referred to above, which would be released as a result of the employment of such munitions and devices;

1/ The definitions of chemical weapons are presented on the understanding that problems related to irritants used for law enforcement and riot control, and also to chemicals intended to enhance the effect of the use of chemical weapons if their inclusion in the Convention is agreed could be handled outside the definitions of chemical weapons if this will result in a more clear and understandable definition. Preliminary suggestions to solve these problems are given below and consultations on them will be continued.

2/ One delegation expressed its reservation on the present formulation of the definition of chemical weapons and on the terminology used in (i) that failed to reflect the general purpose criterion.

3/ Some delegations consider that further deliberation is required in order to clarify at a later stage of the negotiations the implications of this definition for other parts of the Convention. This applies to other relevant parts of the Appendix. Other delegations consider that key component of binary and/or multicomponent chemical system for chemical weapons means: a component which poses a special risk to the objectives of the Convention as it can be an integral part in a chemical weapons munition or device and can form toxic chemicals at the moment of their employment and possesses the following characteristics: (a) reacts (interacts) rapidly with other component(s) of binary and/or multicomponent chemical system during the munition's flight to the target and gives a high yield of final toxic chemical; (b) plays an important role in determining the toxic properties of the final product; (c) may not be used, or be used only in minimal quantities, for permitted purposes; (d) possesses the stability necessary for long-term storage.

(iii) any equipment specifically designed for use directly in connection with the employment of such munitions or devices;

- [The term "chemical weapons" shall not apply to those chemicals which are not super-toxic lethal, or other lethal chemicals and which are approved by the Consultative Committee for use by a Party for domestic law enforcement and domestic riot control purposes.]

- [States Parties agree not to [develop, produce, stockpile or] utilize for chemical weapons chemicals intended to enhance the effect of the use of such weapons.]

[2. "Toxic chemicals" means:

chemicals [however or wherever they are produced], [whether produced in plants, munitions or elsewhere] [regardless of the method and pattern of production] whose toxic properties can be utilized to cause death or temporary or permanent harm, to man or animals involving:]

[2. "Toxic chemicals" means:

any chemical, regardless of its origin or method of production which through its chemical action on life processes can cause death, temporary incapacitation, or permanent harm to man or animals

Toxic chemicals are divided into the following categories:]

(a) "super-toxic lethal chemicals", which have a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m^3 (by inhalation) when measured by an agreed method 1/ set forth in ... 2/

(b) "other lethal chemicals", which have a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m^3 (by inhalation) and less than or equal to 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m^3 (by inhalation) when measured by an agreed method set forth in ... 2/

[(c) "other harmful chemicals", being any [toxic] chemicals not covered by (a) or (b) above, [including toxic chemicals which normally cause temporary incapacitation rather than death] [at similar doses to those at which super-toxic lethal chemicals cause death].]

[and "other harmful chemicals" has a median lethal dose which is greater than 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m^3 (by inhalation).]

1/ It was noted that after such measurements had actually been performed, the figures mentioned in this and the following section might be subject to slight changes in order to cover sulphur mustard gas under the first category.

2/ Recommended procedures for toxicity determinations are contained in pages 99-103 of this document.

3. "Purposes not prohibited by the Convention" means:

(a) industrial, agricultural, research, medical or other peaceful purposes, domestic law enforcement purposes; and military purposes not connected with the use of chemical weapons.

(b) protective purposes, namely those purposes directly related to protection against chemical weapons; 1/

4. "Precursor" means:

a chemical reagent which takes part in the production of a toxic chemical.

(a) "Key Precursor" means:

a precursor which poses a significant risk to the objectives of the Convention by virtue of its importance in the production of a toxic chemical.

It may possess [possesses] the following characteristics:

(i) It may play [plays] an important role in determining the toxic properties of a [toxic chemicals prohibited by the Convention] [super-toxic lethal chemical].

(ii) It may be used in one of the chemical reactions at the final stage of formation of the [toxic chemicals prohibited by the Convention] [super-toxic lethal chemical].

[(iii) it may [is] not be used, or [is] used only in minimal quantities, for permitted purposes.] 2/

Key precursors are listed in ...

For the purpose of the relevant provisions in a Chemical Weapons Convention key precursors should be listed and subject to revisions according to [characteristics] [guidelines].

Chemicals which are not key precursors but are deemed to pose a [threat] [particular risk] with regard to a Chemical Weapons Convention should be included in a list.

1/ The suggestion that such permitted protective purposes should relate only to "an adversary's use of" chemical weapons was removed pending a decision on whether in the Convention the question of prohibiting other military preparations for use of chemical weapons than those mentioned under scope should be dealt with.

2/ The position of this paragraph should be decided in relation to how some chemicals, for instance, isopropylalcohol, are dealt with in the Convention.

[(b) Key component of binary and/or multicomponent chemical systems for chemical weapons means:]

[a key precursor which forms a toxic chemical in the binary or multicomponent weapons munition or device and which has the following additional characteristics (to be elaborated):]

5. The term "chemical weapons production facility": 1/

(a) means any equipment, as well as any building housing such equipment, that was designed, constructed or used since 1 January 1946:

(i) as part of the stage in the production of chemicals ("final technological stage") where the material flows would contain, when the equipment is in operation, any Schedule [1] chemical, or any other chemical that has no use for permitted purposes above ... kilograms per year but can be used for chemical weapons purposes; 2/ or

(ii) for filling chemical weapons. 3/

(b) does not include any facility with an annual capacity for synthesis of chemicals specified in subparagraph (a) (i) above that is less than [1,000-2,000] kilograms. 4/ 5/

(c) does not include the single small-scale production facility provided under the Annex to Article VI [1] of the Convention.

1/ A view was expressed that this definition may need to be reviewed to take into account further elaboration of Article VI.

2/ Any such chemical should be included in a relevant schedule of chemicals in the convention.

3/ The filling of chemical weapons includes, inter alia:

- the filling of Schedule 1 chemicals into munitions, devices, or bulk storage containers;

- the filling of chemicals into containers which form part of assembled binary munitions and devices and into chemical submunitions which form part of assembled unitary munitions and devices;

- the loading of the containers and chemical submunitions into the respective munitions and devices.

4/ The disposition of such facilities should be decided in the context of Articles III and VI of the Convention.

5/ This threshold should be decided once an agreed definition for the term "capacity" has been developed. Further work is needed on it, taking into account, inter alia, the report on how to define production capacity reproduced in Appendix II.

III. DECLARATIONS 1/

1. Each State Party shall submit to the Consultative Committee, not later than 30 days after the Convention enters into force for it, the following declarations:

(a) Chemical Weapons

(i) whether it has any chemical weapons under its jurisdiction or control 2/ anywhere;

(ii) whether it has on its territory any chemical weapons under the jurisdiction or control of others, including a State not Party to the Convention;

(iii) whether it has transferred or received any chemical weapons and whether it has transferred to or received from anyone the control over such weapons since [1 January 1946] [26 March 1975].

(b) Chemical Weapons Production Facilities

(i) whether it has any chemical weapons production facilities under its jurisdiction or control anywhere or has had such facilities at any time since [1.1.1946];

(ii) whether it has any chemical weapons production facilities on its territory under the jurisdiction or control of others, including a State not Party to this Convention, or has had such facilities at any time since [1.1.1946];

(iii) whether it has transferred or received any equipment for the production of chemical weapons [and documentation relevant to the production of chemical weapons] since [1.1.1946], and whether it has transferred to, or received from, anyone the control of such equipment [and documentation].

1/ The view was expressed that the Annex to this Article needs to be reviewed.

2/ It is agreed that the concept of "jurisdiction or control" requires additional discussion and elaboration. To facilitate work on the issue an informal discussion-paper dated 20 March 1987 was prepared, on the request of the Chairman of the Committee, by Dr. Bolewski (Federal Republic of Germany), Dr. Szénási (Hungary) and Mr. Effendi (Indonesia).

(c) Other declarations 1/

The precise location, nature and general scope of activities of any facility and establishment 2/ on its territory or under its jurisdiction or under its control anywhere 3/ designed, constructed or used since [1.1.46] for development of chemical weapons, inter alia, laboratories and test and evaluation sites.

2. Each State Party making affirmative statements in regard to any of the provisions under subparagraphs 1a and 1b of this Article shall carry out all relevant measures envisaged in any or all of Articles IV and V.

1/ One delegation held the view that these provisions do not apply to the production facility attached to the security stockpile as defined in document CD/CW/WP.199.

2/ The scope of the phrase "any facility and establishment" is to be clarified and an appropriate formulation found.

3/ It is agreed that the concept of "on its territory or under its jurisdiction or under its control anywhere" requires additional discussion and elaboration.

IV. CHEMICAL WEAPONS 1/

1. The provisions of this article and its Annex shall apply to any and all chemical weapons under the jurisdiction or control of a State Party, regardless of location, including those on the territory of another State.

2. Each State Party, within 30 days after the Convention enters into force for it, shall submit a declaration which:

(a) specifies the [precise location,] 2/ aggregate quantity and detailed inventory of any chemical weapons under its jurisdiction or control;

(b) reports any chemical weapons on its territory under the jurisdiction or control of others, including a State not Party to this Convention;

(c) specifies any transfer or receipt by the State Party of any chemical weapons since [1 January 1946] [26 March 1975] or any transfer of control by that State Party of such weapons; and

(d) provides its general plan for destruction of its chemical weapons.

3. [Each State Party shall, immediately after the declaration under paragraph 2 of this Article has been submitted, provide access to its chemical weapons for the purpose of systematic international on-site verification of the declaration through on-site inspection. Thereafter, each State Party shall ensure, through access to its chemical weapons for the purpose of systematic international on-site verification and through on-site inspection and continuous monitoring with on-site instruments, that the chemical weapons are not removed except to a destruction facility.] 2/

4. Each State Party shall submit detailed plans for the destruction of chemical weapons not later than six months before each destruction period begins. The detailed plans shall encompass all stocks to be destroyed during the next coming period, and shall include the precise location and the detailed composition of the chemical weapons which are subject to destruction during that period.

5. Each State Party shall:

(a) destroy all chemical weapons pursuant to the Order specified in the Annex to Article IV, beginning not later than 12 months and finishing not later than 10 years after the Convention enters into force for it;

(b) provide information annually regarding the implementation of its plans for destruction of chemical weapons; and

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1/ One delegation held the view that the provisions of this Article and its Annex shall apply without exception other than the rules relating to the security stock as defined in document CD/CW/WP.199.

2/ One delegation reserved its position on this question.

(c) certify, not later than 30 days after the destruction process has been completed, that all chemical weapons have been destroyed.

6. Each State Party shall provide access to any chemical weapons destruction facilities and the facilities' storage for the purpose of systematic international on-site verification of destruction through the continuous presence of inspectors and continuous monitoring with on-site instruments, in accordance with the Annex to Article IV.

7. Any chemical weapons discovered by a State Party after the initial declaration of chemical weapons shall be reported, secured and destroyed, as provided in the Annex to Article IV. 1/ 2/

8. All locations where chemical weapons are [stored or] 3/ destroyed shall be subject to systematic international on-site verification, through on-site inspection and monitoring with on-site instruments in accordance with the Annex to Article IV.

9. Any State Party which has on its territory chemical weapons which are under the control of a State that is not a Party to this Convention shall ensure that such weapons are removed from its territory not later than [30 days] after the date on which the Convention entered into force for it.

10. The declaration, plans and information submitted by each State Party under this article shall be made in accordance with the Annex to Article III and the Annex to Article IV.

[11. Reminder: undiminished security during the destruction period.] 4/

1/ Consultations were carried out on this issue. The results are reflected in CD/CW/WP.177/Rev.1. Different views were expressed, inter alia on the question of the responsibility for the destruction of these weapons. Further work is needed.

2/ For some delegations, the question of the applicability of this Annex to obsolete chemical weapons (ordnances) retrieved from the combat zones of World War I will have to be resolved later.

3/ One delegation reserved its position on this question.

4/ The question of the proper place in the text of the Convention for provisions concerning undiminished security during the destruction period is to be further discussed.

V. CHEMICAL WEAPONS PRODUCTION FACILITIES 1/

1. The provisions of this article shall apply to any and all chemical weapons production facilities under the jurisdiction or control of a State Party, regardless of location. 2/

2. Each State Party with any chemical weapons production facility shall cease immediately all activity at each chemical weapons production facility except that required for closure.

3. No State Party shall construct any new facility or modify any existing facility for the purpose of chemical weapons production or for any other purpose prohibited by the Convention.

4. Each State Party, within 30 days after the Convention enters into force for it, shall submit a declaration which:

(a) specifies any chemical weapons production facilities under its jurisdiction or control, or on its territory under the control of others, including a State not party to this Convention, at any time since [1 January 1946] [at the time of entry into force of the Convention];

(b) specifies any transfer or any receipt by the State Party of any equipment for the production of chemical weapons [and documentation relevant to the production of chemical weapons] since [1.1.1946] or any transfer of control by that Party of such equipment [and documentation];

(c) specifies actions to be taken for closure of each chemical weapons production facility;

(d) outlines its general plan for destruction for each chemical weapons production facility, and

(e) outlines its general plan for any temporary conversion of any chemical weapons production facility into a facility for destruction of chemical weapons.

5. Each State Party shall, immediately after the declaration, under paragraph 4, has been submitted, provide access to each chemical weapons production facility for the purpose of [systematic] international on-site verification of the declaration through on-site inspection.

1/ One delegation held the view that the provisions of this Article shall apply to any and all chemical weapons production facilities, except the production facility assigned to the security stock as dealt with in document CD/CW/WP.199.

2/ It is understood that the above provisions also apply to any facility on the territory of another State [regardless of ownership and form of contract, on the basis of which they have been set up and functioned for the purposes of production of chemical weapons].

6. Each State Party shall:

(a) close within three months after the Convention enters into force for it, each chemical weapons production facility in a manner that will render each facility inoperable; and

(b) provide access to each chemical weapons production facility, subsequent to closure, for the purpose of systematic international on-site verification through periodic on-site inspection and continuous monitoring with on-site instruments in order to ensure that the facility remains closed and is subsequently destroyed.

7. Each State Party shall submit detailed plans for destruction of each facility not later than [3] [6] months before the destruction of the facility begins.

8. Each State Party shall:

(a) destroy all chemical weapons production facilities, and related facilities and equipment specified in Section II-C-3 of the Annex to Article V, in accordance with the provisions of that Annex, beginning not later than 12 months, and finishing not later than 10 years, after the Convention enters into force;

(b) provide information annually regarding the implementation of its plans for the destruction of its chemical weapons production facilities, and

(c) certify, not later than 30 days after the destruction process has been completed, that its chemical weapons production facilities have been destroyed.

9. A chemical weapons production facility may be temporarily converted for destruction of chemical weapons. Such a converted facility must be destroyed as soon as it is no longer in use for destruction of chemical weapons and, in any case, not later than 10 years after the Convention enters into force.

10. Each State Party shall submit all chemical weapons production facilities to systematic international on-site verification through on-site inspection and monitoring with on-site instruments in accordance with the Annex to Article V.

11. The declaration, plans and information submitted by each State Party under this article shall be made in accordance with the Annex to Article V.

[12. Reminder: undiminished security during the destruction period.] 1/

1/ The question of the proper place in the text of the Convention for provisions concerning undiminished security during the destruction period is to be further discussed.

VI. ACTIVITIES NOT PROHIBITED BY THE CONVENTION 1/ 2/

1. Each State Party:

(a) has the right, subject to the provisions of this Convention, to develop, produce, otherwise acquire, retain, transfer and use toxic chemicals and their precursors for purposes not prohibited by the Convention.

(b) shall ensure that toxic chemicals and their precursors are not developed, produced, otherwise acquired, retained, transferred, or used within its territory or anywhere under its jurisdiction or control for purposes prohibited by the Convention.

2. Toxic Chemicals and their Precursors:

(a) Toxic chemicals and their precursors considered in the Annexes to Article VI [1], [2], [3] and [...], 3/ which could be used for purposes prohibited by the Convention, as well as facilities which produce, process or consume these toxic chemicals or precursors, shall be subject to international monitoring as provided in those annexes:

Annex to Article VI [1] Schedule [1]:	Super-Toxic Lethal Chemicals and [especially dangerous key precursors] [key components of chemicals weapons systems].
Annex to Article VI [2] Schedule [2]:	Key Precursors.
Annex to Article VI [3] Schedule [3]:	Chemicals produced in large commercial quantities and which could be used for chemical weapons purposes.
Annex to Article VI [...]:	Production of super-toxic lethal chemicals not listed in Schedules [1].

1/ One delegation considers that the terminology used in this article and its annexes should be consistent with the final definition of chemical weapons to be agreed upon.

2/ One delegation expressed the view that the question of collection and forwarding of data and other information to verify non-production requires further consideration. This delegation made reference to the Working Paper CD/CW/WP.159 of 19 March 1987, which includes draft elements for inclusion in the rolling text.

3/ Some delegations consider that these chemicals should be dealt with in the Annex to Article VI [2] Schedule [2]. Other delegations consider that a separate Annex [4] is required. Until this issue is resolved, the designation Annex to Article VI [...] is used.

(b) The schedules of chemicals contained in the annexes may be revised. Modalities for revision are contained in the Annex to Article [VI] [O.]. 1/

3. Within 30 days of the entry into force of it, each State Party shall declare data on relevant chemicals and the facilities which produce them, in accordance with the Annex to Article VI [1], [2], [3] and [...].

4. Each State Party shall make an annual declaration regarding the relevant chemicals in accordance with the Annex to Article VI [1], [2], [3] and [...].

5. Each State Party undertakes to subject the chemicals and [facility] [facilities] under the Annex to Article VI [1] to the measures contained in that Annex.

6. Each State Party undertakes to subject the chemicals and facilities under the Annex to Article VI [2] and [...] to monitoring by data reporting and routine systematic international on-site verification, through on-site inspection and use of on-site instruments as long as production and processing are not impaired.

7. Each State Party undertakes to subject the chemicals and facilities under the Annex to Article VI [3] to monitoring by data reporting.

8. The provisions of this article shall be implemented in a manner designed in so far as possible to avoid hampering the economic or technological development of parties to the Convention and international co-operation in the field of peaceful chemical activities including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for peaceful purposes in accordance with the provisions of the Convention. 2/ 3/

9. In conducting verification activities, the (Consultative Committee) shall:

(a) avoid undue interference in the State Party's peaceful chemical activities;

(b) take every precaution to protect confidential information coming to its knowledge in the implementation of the Convention; 2/ and

(c) require only the minimum amount of information and data necessary for the carrying out of its responsibilities under the Convention.

10. For the purpose of on-site verification, each State Party shall grant to the (Consultative Committee) access to facilities as required in the Annex to Article VI [1], [2], [3] and [...].

1/ Furthermore, work was carried out on guidelines for considering inclusion of chemicals in Schedule [1]. The result of this work is enclosed in Appendix II to serve as a basis for future work.

2/ It was agreed that provisions to ensure the confidentiality of the information provided should be elaborated.

3/ The inclusion of this paragraph in this Article is to be considered further.

VII. NATIONAL IMPLEMENTATION MEASURES

Each State Party to this Convention shall adopt any measures it considers necessary in accordance with its constitutional processes to implement this Convention and, in particular, to prohibit and prevent anywhere under its jurisdiction or control any activity that a State Party to this Convention is prohibited from conducting by this Convention.

In order to implement these obligations, each State Party shall, according to its needs and specific conditions, designate or establish a national authority. 1/

Each State Party undertakes to inform the Consultative Committee concerning the national authority and other legislative and administrative measures taken to implement the Convention.

Each State Party undertakes to co-operate with the Consultative Committee in the exercise of all its functions and in particular to provide assistance to the Consultative Committee including data reporting, assistance for international on-site inspections, provided for in this Convention, and a response to all its requests for the provision of expertise, information and laboratory support.

National Technical Means 2/

1/ It was suggested that guidelines for the functioning of the national authority for the implementation of the Convention be elaborated.

2/ It was suggested that no reference to National Technical Means is needed in a future Convention.

VIII. THE ORGANIZATION 1/

A. General Provisions

1. The States Parties to the Convention hereby establish the Organization for the Prohibition of Chemical Weapons, to achieve the objectives of the Convention, to ensure the implementation of its provisions, including those for international verification of compliance with it, and to provide a forum for consultation and co-operation among States Parties. 2/

2. All States Parties to the Convention shall be members of the Organization.

3. The seat of the headquarters of the Organization shall be ...

4. There are hereby established as the organs of the Organization the [Consultative Committee] [General Conference], the Executive Council and the Technical Secretariat.

B. [The Consultative Committee] [The General Conference]

(a) Composition, procedure and decision-making

1. The [Consultative Committee] [General Conference] shall be composed of all the States Parties to this Convention. Each State Party to the Convention shall have one representative in the [Consultative Committee] [General Conference], who may be accompanied by alternates and advisers.

2. The first session of the [Consultative Committee] [General Conference] shall be convened by the Depository at (venue) not later than 30 days after the entry into force of the Convention.

3. The [Consultative Committee] [General Conference] shall meet in regular sessions which should be held annually unless it decides otherwise. It shall meet in special sessions, as the [Consultative Committee] [General Conference] may decide, at the request of the Executive Council or at the request of any State Party supported by [8-10] 3/ [one third of] the States Parties. When necessary a special session shall be convened at short notice.

1/ One delegation has expressed reservations with regard to the approach being given to the concept of an Organization for the Prohibition of Chemical Weapons, or any other similar solution for this purpose, and has expressed the view that before proceeding further in the examination of this question, there is a need to define the principles that will govern the financing of such an Organization.

2/ A view was expressed that the achievement of these objectives should be sought in close co-operation with the United Nations.

3/ A view was expressed that a smaller number of States Parties supporting such a request could also be sufficient.

4. Sessions shall take place at the headquarters of the Organization unless the [Consultative Committee] [General Conference] decides otherwise.

5. The [Consultative Committee] [General Conference] shall adopt its rules of procedure. At the beginning of each regular session, it shall elect its Chairman and such other officers as may be required. They shall hold office until a new Chairman and other officers are elected at the next regular session.

6. A majority of the members of the [Consultative Committee] [General Conference] shall constitute a quorum.

7. Each member of the [Consultative Committee] [General Conference] shall have one vote.

8. Decisions on questions of procedure, including decisions to convene special sessions of the [Consultative Committee] [General Conference], shall be taken by a simple majority of the members present and voting. Decisions on questions of substance shall be taken by a two-thirds majority of the members present and voting unless otherwise specifically provided for in the Convention. When the issue arises as to whether a question is one of substance or not, that question shall be treated as one of substance unless otherwise decided by the [Consultative Committee] [General Conference] by the majority required for decisions on questions of substance. 1/ 2/

(b) Powers and functions

1. The [Consultative Committee] [General Conference] shall be the [principal] [supreme] organ of the Organization. It shall consider any questions, matters or issues within the scope of the Convention, including those relating to the powers and functions of the Executive Council and Technical Secretariat. It may make recommendations and take decisions 2/ on any questions, matters or issues related to the Convention raised by a State Party or brought to its attention by the Executive Council.

2. The [Consultative Committee] [General Conference] shall oversee the implementation of the Convention, and promote and [assess] review compliance with it. It shall also oversee the activities of the Executive Council and the Technical Secretariat and may issue guidelines in accordance with the Convention to either of them in the exercise of their functions.

1/ It has also been proposed that decisions should be taken by consensus, except as specified elsewhere and, if a consensus were not possible within 24 hours, by a simple majority of the members present and voting. It has also been pointed out that there should be no differentiation between decisions on questions of procedure and those of substance.

2/ A view was expressed that the report of a fact-finding inquiry should not be put to a vote, nor should any decision be taken as to whether a Party is complying with the provisions of the Convention.

3. In addition, the powers and functions of the [Consultative Committee] [General Conference] shall be:

(i) To consider and adopt at its regular sessions the report of the Organization, consider other reports 1/ and consider and adopt the programme and budget of the Organization, submitted by the Executive Council;

(ii) to [encourage] [promote] international co-operation for peaceful purposes in the chemical field;

(iii) to review scientific and technological developments which could affect the operation of the Convention;

(iv) to decide on the scale of financial contributions to be paid by States Parties; 2/

(v) to elect the members of the Executive Council;

(vi) to appoint the Director-General of the Technical Secretariat; 3/

(vii) to approve the rules of procedure of the Executive Council submitted by the latter;

(viii) to establish such subsidiary organs as it finds necessary for the exercise of its functions in accordance with this Convention. 4/ 5/

(ix) ... 6/

1/ It has been proposed that reports should be sent to the United Nations.

2/ The entire problem of the costs of the Organization needs to be considered.

3/ The option of candidates being proposed by the Executive Council and by States Parties for appointment should be discussed.

4/ It has been proposed that a Scientific Advisory Council be established as a subsidiary body.

5/ It has been proposed that a Fact-finding Panel be established as a subsidiary body.

6/ The question of functions relating to the implementation of Articles X and XI will be considered at a later stage. Other functions, e.g. the action to be taken in the event of non-compliance by a State Party, could be included as well.

4. The [Consultative Committee] [General Conference] shall, after the expiry of 5 and 10 years from the date of entry into force of this Convention and at such other times within that time period as may be agreed on, meet in special sessions to undertake reviews of the operation of this Convention. Such reviews shall take into account any relevant scientific and technological developments. At intervals of five years thereafter, unless otherwise agreed upon by a majority of the States Parties, further sessions of the [Consultative Committee] [General Conference] shall be convened with the same objective. 1/

[5. The Chairman of the [Consultative Committee] [General Conference] shall serve as non-voting Chairman of the Executive Council.]

C. The Executive Council

(a) Composition, procedure and decision-making

(To be elaborated)

(b) Powers and functions

1. The Executive Council shall be the executive organ of the [Consultative Committee] [General Conference], to which it shall be responsible. It shall carry out the powers and functions entrusted to it under the Convention and its Annexes, as well as such functions delegated to it by the [Consultative Committee] [General Conference]. In so doing, it shall act in conformity with the recommendations, decisions and guidelines of the [Consultative Committee] [General Conference] and assure their continuous and proper implementation.

2. In particular, the Executive Council shall:

(a) promote the effective implementation of, and compliance with, the Convention;

(b) supervise the activities of the Technical Secretariat;

(c) co-operate with the appropriate national authorities of States Parties and facilitate consultations and co-operation among States Parties at their request;

1/ The placement and wording of this provision as well as the possible need for separate review conferences require further consideration.

(d) consider any issue or matter within its competence, affecting the Convention and its implementation, including concerns regarding compliance,and cases of non-compliance, 1/ and, as appropriate, inform States Parties and bring the issue or matter to the attention of the [Consultative Committee] [General Conference];

(e) consider and submit to the [Consultative Committee] [General Conference] the draft programme and budget of the Organization;

(f) consider and submit to the [Consultative Committee] [General Conference] the draft report of the Organization on the implementation of the Convention, the report on the performance of its own activities and such special reports as it deems necessary or which the [Consultative Committee] [General Conference] may request;

(g) conclude agreements with States and international organizations on behalf of the Organization, subject to approval by the [Consultative Committee] [General Conference], and approve agreements relating to the implementation of verification activities, negotiated by the Director-General of the Technical Secretariat with States Parties;

(h) (i) meet for regular sessions. Between regular sessions, it shall meet as often as may be required for the fulfilment of its functions;

[(ii) elect its Chairman;]

(iii) elaborate and submit its rules of procedure to the [Consultative Committee] [General Conference] for approval;

(iv) make arrangements for the sessions of the [Consultative Committee] [General Conference] including the preparation of a draft agenda.

3. The Executive Council may request the convening of a special session of the [Consultative Committee] [General Conference]. 2/

1/ A view was expressed that the report of a fact-finding inquiry should not be put to a vote, nor should any decision be taken as to whether a Party is complying with the provisions of the Convention.

2/ It has been proposed that the Executive Council should request the convening of a special session of the [Consultative Committee] [General Conference] whenever obligations set forth in Article I of the Convention are violated.

D. Technical Secretariat

1. A Technical Secretariat shall be established to assist the [Consultative Committee] [General Conference] and the Executive Council in the performance of their functions. The Technical Secretariat shall carry out the functions entrusted to it under the Convention and its Annexes, as well as such functions assigned to it by the [Consultative Committee] [General Conference] and the Executive Council.

2. In particular, the Technical Secretariat shall:

(a) address and receive communications on behalf of the Organization to and from States Parties on matters pertaining to the implementation of the Convention;

(b) negotiate the subsidiary agreements with States Parties relating to systematic international on-site verification for approval by the Executive Council;

(c) execute international verification measure provided for in the Convention; 1/

(d) inform the Executive Council of any problems which have arisen with regard to the execution of its functions, and of [doubts, ambiguities or uncertainties about compliance with the Convention] which have come to its notice in the performance of its verification activities and/or which it has been unable to resolve or clarify through its consultations with the State Party concerned;

(e) provide technical assistance and technical evaluation to States Parties [in accordance with] [in the implementation of the provisions of] the Convention; 2/

(f) prepare and submit to the Executive Council the draft programme and budget of the Organization;

(g) prepare and submit to the Executive Council the draft report of the Organization on the implementation of the Convention and such other reports as the Executive Council and/or the [Consultative Committee] [General Conference] may request;

(h) provide administrative and technical support 2/ to the [Consultative Committee] [General Conference], the Executive Council and other subsidiary bodies.

1/ It has been suggested that the International Inspectorate may request inspections for some insufficiently clear situations in the context of their systematic verification activities.

2/ The phrasing of this paragraph needs to be considered further in the light of the elaboration of the relevant provision of the Convention. It has been suggested that the technical assistance or evaluation may relate, inter alia, to developing technical procedures, improving the effectiveness of verification methods, and revising lists of chemicals.

3. The International Inspectorate shall be a unit of the Technical Secretariat and shall act under the supervision of the Director-General of the Technical Secretariat. Guidelines on the International Inspectorate are specified in ... 1/

4. The Technical Secretariat shall comprise a Director-General, who shall be its head and chief administrative officer, and inspectors and such scientific, technical and other personnel as may be required.

5. The Director-General of the Technical Secretariat shall be appointed by the [Consultative Committee] [General Conference] [upon the recommendation of the Executive Council] 2/ for [4] [5] years [renewable for one further term, but not thereafter]. The Director-General shall be responsible to the [Consultative Committee] [General Conference] and the Executive Council for the appointment of the staff and the organization and functioning of the Technical Secretariat. The paramount consideration in the employment of the staff and in the determination of the conditions of services shall be the necessity of securing the highest standards of efficiency, competence and integrity. Only citizens of States Parties shall serve as international inspectors or as other members of the professional and clerical staff. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible. Recruitment shall be guided by the principle that the staff shall be kept to a minimum necessary for the proper execution of its responsibilities.

6. In the performance of their duties, the Director-General of the Technical Secretariat, the inspectors and other members of the staff shall not seek or receive instructions from any Government or from any other source external to the Organization. They shall refrain from any action which might reflect on their positions as international officers responsible only to the [Consultative Committee] [General Conference] and the Executive Council. In particular, subject to such responsibilities, they shall not disclose to any unauthorized persons any confidential information coming to their knowledge in the performance of their official duties. The Director-General shall establish a régime governing the handling and protection of confidential data by the Technical Secretariat.

7. Each State Party shall undertake to respect the exclusively international character of the responsibilities of the Director-General of the Technical Secretariat, the inspectors and the other members of the staff and not seek to influence them in the discharge of their responsibilities.

1/ Because of considerations under way in some capitals, the question of how to approach these guidelines will be decided later. For the convenience of delegations Attachment (A) of the Report of the Co-ordinator for Cluster IV (CD/CW/WP.175) for the 1987 session, complemented by the work in Group C during the 1988 session, is included as Addendum to Appendix I.

2/ It has been proposed that the Director-General of the Technical Secretariat be appointed by the [Consultative Committee] [General Conference] upon the recommendation of the Secretary-General of the United Nations.

IX. CONSULTATIONS, CO-OPERATION AND FACT-FINDING 1/ 2/

1. States Parties shall consult and co-operate, directly among themselves, or through the Consultative Committee or other appropriate international procedures, including procedures within the framework of the United Nations and in accordance with its Charter, on any matter which may be raised relating to the objectives or the implementation of the provisions of this Convention.

2. States Parties to the Convention shall make every possible effort to clarify and resolve, through exchange of information and consultations among them, any matter which may cause doubt about compliance with this Convention, or which gives rise to concerns about a related matter which may be considered ambiguous. [A Party which receives a request from another Party for clarification of any matter which the requesting Party believes causes such doubts or concerns shall provide the requesting Party, within ... days of the request, with information sufficient to answer the doubts or concerns raised along with an explanation on how the information provided resolves the matter.] Nothing in this Convention affects the right of any two or more States Parties to this Convention to arrange by mutual consent for inspections or any other procedures among themselves to clarify and resolve any matter which may cause doubts about compliance or gives rise to concerns about a related matter which may be considered ambiguous. Such arrangements shall not affect the rights and obligations of any State Party under other provisions of this Convention.

Procedure for requesting clarification

3. A State Party shall have the right to request the Executive Council to assist in clarifying any situation which may be considered ambiguous or which gives rise to doubts about the compliance of another State Party with the Convention. The Executive Council shall provide appropriate information and data in its possession relevant to the situation which can dispel such doubts, whilst [taking every precaution in] protecting commercial and industrial secrets and other confidential information coming to its knowledge in the implementation of the Convention.

4. A State Party shall have the right to request the Executive Council to obtain clarification from another State Party on any situation which may be considered ambiguous or which gives rise to doubts about its compliance with the Convention. In such a case, the following shall apply:

(a) The Executive Council shall forward the request for clarification to the State Party concerned within [24 hours] of its receipt.

(b) The requested State Party shall provide the clarification to the Executive Council within [seven days] of the receipt of the request.

1/ Some delegations expressed the view that the issue of verification of alleged use of chemical weapons and procedures for conducting such inspections had not yet been considered in-depth and should be discussed at a later stage on the basis of the proposed Annex to Article IX (documents CD/766 and CD/CW/WP.173).

2/ One delegation held the view that the specific procedures of the challenge inspection régime applicable to the security stock shall be those defined in document CD/CW/WP.199.

(c) The Executive Council shall forward the clarification to the requesting State Party within [24 hours] of its receipt.

(d) In the event that the requesting State Party deems the clarification to be inadequate, it may request the Executive Council to obtain from the requested State Party further clarification.

(e) For the purpose of obtaining further clarification requested under paragraph 2 (d), the Executive Council may set up a group of experts to examine all available information and data relevant to the situation causing the doubt. The group of experts shall submit a factual report to the Executive Council on its findings.

(f) Should the requesting State Party consider the clarification obtained under paragraphs 2 (d) and 2 (e) to be unsatisfactory, it may request a special meeting of the Executive Council in which States Parties involved not members of the Executive Council shall be entitled to take part in accordance with provisions in Article ... In such a special meeting, the Executive Council shall consider the matter and may recommend any measure it deems appropriate to cope with the situation.

5. A State Party shall have the right to request the Executive Council to clarify any situation which has been considered ambiguous or has given rise to doubts about its compliance with the Convention. The Executive Council shall respond by providing such assistance as appropriate.

6. The Executive Council shall inform the States Parties to this Convention about any request for clarification provided in this Article.

7. [If the doubts or concerns of a State Party about compliance have not been resolved within [two months] after the submission of the request for clarification to the Executive Council, or it believes its doubts warrant urgent consideration, without necessarily exercising its right to the challenge procedure, it may request a special session of the Consultative Committee in accordance with Article ... In such a special session, the Consultative Committee shall consider the matter and may recommend any measure it deems appropriate to cope with the situation.]

Procedure for requesting a fact-finding mission

The further contents of Article IX remain to be elaborated. 1/

1/ Consultations on this issue were carried out by the Chairman of the Ad Hoc Committee for the 1987 session and the Chairman of Group C for the 1988 session. The state of affairs, as seen by them is presented in Appendix II with the aim of facilitating further consideration of the issue.

X. ASSISTANCE 1/

XI. ECONOMIC AND TECHNOLOGICAL DEVELOPMENT 1/

XII. RELATION TO OTHER INTERNATIONAL AGREEMENTS 2/

Nothing in this Convention will be interpreted as in any way impairing the obligations assumed under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925 and in the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed at London, Moscow and Washington on 10 April 1972.

XIII. AMENDMENTS 2/

XIV. DURATION, WITHDRAWAL 2/

...

The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law, particularly the Geneva Protocol of 17 June 1925.

XV. SIGNATURE, RATIFICATION, ENTRY INTO FORCE 2/

XVI. LANGUAGES 2/

1/ Work on this Article continued. With the aim of facilitating further consideration of the issues involved, the text reflecting the current stage of discussion is included in Appendix II.

2/ During the 1988 session, work on this Article was undertaken. With the aim of facilitating further consideration of the issues involved, the text reflecting the current stage of discussion is included in Appendix II.

ANNEX TO ARTICLE III

I. DECLARATIONS OF CHEMICAL WEAPONS

A. Possession or non-possession

1. Possession of chemical weapons on own territory

Yes .....

No .....

2. Possession, jurisdiction or control over chemical weapons elsewhere

Yes .....

No .....

B. Existence on the territory of any chemical weapons under the jurisdiction or control of anyone else

Yes .....

No .....

C. Past transfers

Yes .....

No .....

II. DECLARATIONS OF CHEMICAL WEAPONS PRODUCTION FACILITIES

A. Possession or non-possession

1. Possession of chemical weapons production facilities on own territory

Yes .....

No .....

2. Possession, jurisdiction or control over chemical weapons production facilities elsewhere

Yes .....

No .....

B. Existence on the territory of any chemical weapons production facilities under the jurisdiction or control of anyone else

Yes .....

No .....

C. Past transfers of equipment [or technical documentation] 1/

Yes .....

No .....

[III. OTHER DECLARATIONS]

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1/ The view was expressed that technical documentation should not be included.

ANNEX TO ARTICLE IV

I. DECLARATIONS OF CHEMICAL WEAPONS

A. The declaration by a State Party of the aggregate quantity [,location], 1/ and detailed composition of chemical weapons under its jurisdiction or control shall include the following:

1. The aggregate quantity of each chemical declared.

[2. The precise location of each declared storage site of chemical weapons, expressed by:

- name;

- geographical co-ordinates.] 1/

3. Detailed inventory for each storage facility:

(1) Chemicals defined as chemical weapons in accordance with Article II:

(a) Chemicals shall be declared within the schedules specified in the Annex to Article VI. 2/

(b) For a chemical not listed in the Schedules in the Annex to Article VI, 2/ the information required for possible assignment of the chemical to one of the proper schedules shall be provided, including the toxicity of the pure compound. For a precursor chemical, the toxicity and identity of the principal final reaction product(s) shall be provided.

(c) Chemicals shall be identified by chemical name in accordance with current IUPAC (International Union of Pure and Applied Chemistry) nomenclature, structural formula and Chemical Abstracts Service registry number, if assigned. For a precursor chemical, the toxicity and identity of the principal final reaction product(s) shall be provided.

(d) In cases involving mixtures of two or more chemicals, all such components shall be identified and the percentage of each component shall be provided, and the mixture shall be declared under the category of the most toxic chemical.

(e) In cases involving multi-component munitions, devices, bulk containers, and other containers, the quantity of each chemical component shall be provided, as well as the projected quantity of the final principal reaction product obtained. Such items shall be declared under the category of the [key precursor] [key component].

1/ One delegation reserved its position on this question.

2/ A view was expressed that in the context of Article IV, consideration should be given to the development of schedules applicable to chemical weapons declared under the Article.

(f) For each chemical the form of storage, i.e. munitions, sub-munitions, devices, equipment or bulk containers and other containers shall be declared. For each form of storage the following shall be listed:

- type
- size or calibre
- number of items
- weight of chemical fill per item.

In addition, for chemicals stored in bulk the percentage purity shall be declared.

(g) For each chemical the total weight present at the storage site shall be declared.

(2) Unfilled munitions and/or sub-munitions and/or devices and/or equipment, defined as chemical weapons. For each type the information shall include:

(a) the number of items

(b) the fill volume per item

(c) the intended chemical fill, if known.

(3) Equipment specifically designed for use directly in connection with the employment of munitions, sub-munitions, devices or equipment under points (1) and (2).

(4) Chemicals specifically designed for use directly in connection with the employment of munitions, sub-munitions, devices or equipment under points (1) and (2).

B. Detailed information on any chemical weapons on the territory of a State Party which are under the jurisdiction or control of others, including a State not Party to the convention (to be developed).

C. Past transfers and receipts.

A State Party that has transferred or received chemical weapons shall declare this (these) transfer(s) or receipt(s), [provided the amount transferred or received exceeded one metric tonne [of chemicals] [per chemical] per year in bulk and/or munition form]. This declaration shall be made according to the inventory format in paragraph 3 above. This declaration shall also indicate the supplier and recipient countries and, as precisely as possible, timing and current location of the transferred items.

II. INTERNATIONAL VERIFICATION OF DECLARATIONS OF CHEMICAL WEAPONS, INTERNATIONAL SYSTEMATIC MONITORING OF STORAGE FACILITIES, INTERNATIONAL VERIFICATION OF REMOVAL OF CHEMICAL WEAPONS FOR DESTRUCTION 1/

1. Storage facility description

(a) Each site or location where, pending their destruction chemical weapons, declared in accordance with Article IV, are stored on the territory of a State Party or under its jurisdiction or control elsewhere, shall hereafter be designated as "storage facility".

(b) At the time of the submission of its declaration of chemical weapons, in accordance with Article IV, a State Party shall provide the Technical Secretariat with the detailed description and location of its storage facility(ies) containing:

- boundary map;
- location of bunkers/storage areas, within the facility;
- the detailed inventory of the contents of each bunker/storage area;
- relevant details of the construction of bunkers/storage areas;
- recommendations for the emplacement by the Technical Secretariat of seals and monitoring instruments.

2. Measures to secure the storage facility and storage facility preparation

(a) Not later than when submitting its declaration of chemical weapons, a State Party shall take such measures as it considers appropriate to secure its storage facility(ies) and shall prevent any movement of its chemical weapons, except their removal for destruction.

(b) In order to prepare its storage facility(ies) for international verification, a State Party shall ensure that its chemical weapons at its storage facility(ies) are so configured that seals and monitoring devices may be effectively applied, and that such configuration allows ready access for such verification.

(c) While the storage facility remains closed for any movement of chemical weapons other than their removal for destruction activities necessary for maintenance and safety monitoring by national authorities may continue at the facility.

1/ One delegation expressed reservations on this whole section in view of its position on the issue of declaration of location of chemical weapons stocks in Article IV.

3. Agreements on subsidiary arrangements 1/

(a) Within [6] months after entry into force of the convention, States Parties shall conclude with the Organization agreements on subsidiary arrangements for verification of their storage facilities. Such agreements shall be based on a Model Agreement and shall specify for each storage facility the number, intensity, duration of inspections, detailed inspection procedures and the installation, operation and maintenance of the seals and monitoring devices by the Technical Secretariat. The Model Agreement shall include provisions to take into account future technological developments.

(b) States Parties shall ensure that the verification of declarations of chemical weapons and the initiation of the systematic monitoring of storage facilities can be accomplished by the Technical Secretariat at all storage facilities within the agreed time frames after the convention enters into force. 2/

4. International verification of declarations of chemical weapons

(a) International verification by on-site inspections

(i) The purpose of the international verification of declarations of chemical weapons shall be to confirm through on-site inspections the accuracy of the declarations made in accordance with Article IV. 3/

(ii) The International Inspectors shall conduct this verification promptly after a declaration is submitted. They shall, inter alia verify the quantity and identity of chemicals, types and number of munitions, devices and other equipment.

(iii) They shall employ, as appropriate, agreed seals, markers or other inventory control procedures to facilitate an accurate inventory of the chemical weapons at each storage facility.

(iv) As the inventory progresses, International Inspectors shall install such agreed seals as may be necessary to clearly indicate if any stocks are removed, and to ensure the securing of the storage facility.

1/ The coverage of the subsidiary arrangements is to be discussed.

2/ Procedures to ensure the implementation of the verification scheme within designated time frames are to be developed.

3/ The applicability of Article IV, paragraph 2(b) is to be discussed.

(b) Co-ordination for international systematic monitoring of storage facilities

In conjunction with the on-site inspections of verification of declarations of chemical weapons, the International Inspectors shall undertake necessary co-ordination for measures of systematic monitoring of storage facilities.

5. International systematic monitoring of storage facilities

(a) The purpose of the international systematic monitoring of storage facilities shall be to ensure that no undetected removal of chemical weapons takes place.

(b) The international systematic monitoring shall be initiated as soon as possible after the declaration of chemical weapons is submitted and shall continue until all chemical weapons have been removed from the storage facility. It shall be ensured, in accordance with the agreement on subsidiary arrangements, through a combination of continuous monitoring with on-site instruments and systematic verification by international on-site inspections or, where the continuous monitoring with on-site instruments is not feasible, by the presence of International Inspectors.

(c) If the relevant agreement on subsidiary arrangements for the systematic monitoring of a chemical weapons storage facility is concluded, International Inspectors shall install for the purpose of this systematic monitoring a monitoring system as referred to below under (e). If no such agreement has been concluded, the International Inspectors will initiate the systematic monitoring by their continuous presence on-site until the agreement is concluded, and the monitoring system installed and activated.

(d) In the period before the activation of the continuous monitoring with on-site instruments and at other times when this continuous monitoring is not feasible, seals installed by International Inspectors may only be opened in the presence of an International Inspector. If an extraordinary event requires the opening of a seal when an inspector is not present, a State Party shall immediately inform the Technical Secretariat and International Inspectors will return as soon as possible to validate the inventory and re-establish the seals.

(e) Monitoring with instruments.

(i) For the purpose of the systematic monitoring of a chemical weapons storage facility, International Inspectors will install, in the presence of host country personnel and in conformity with the relevant agreement on subsidiary arrangements, a monitoring system consisting of, inter alia, sensors, ancillary equipment and transmission systems. The agreed types of these instruments shall be specified in the Model Agreement. They shall incorporate, inter alia, seals and other tamper-indicating and tamper-resistant devices as well as data protection and data authentication features.

(ii) The monitoring system shall have such abilities and be installed, adjusted or directed in such a way as to correspond strictly and efficiently to the sole purpose of detecting prohibited or unauthorized activities within the chemical weapons storage facility as referred to above under (a). The coverage of the monitoring system shall be limited accordingly. The monitoring system will signal the Technical Secretariat if any tampering with its components or interference with its functioning occurs. Redundancy shall be built into the monitoring system to ensure that failure of an individual component will not jeopardise the monitoring capability of the system.

(iii) When the monitoring system is activated, International Inspectors will verify the accuracy of the inventory of chemical weapons, as required.

(iv) Data will be transmitted from each storage facility to the Technical Secretariat by means (to be determined). The transmission system will incorporate frequent transmissions from the storage facility and a query and response system between the storage facility and the Technical Secretariat. International Inspectors shall periodically check the proper functioning of the monitoring system.

(v) In the event that the monitoring system indicated any irregularity, the International Inspectors would immediately determine whether this resulted from equipment malfunction or activities at the storage facility. If, after this examination the problem remained unresolved, the Technical Secretariat would immediately ascertain the actual situation, including through immediate on-site inspection or visit of the storage facility if necessary. The Technical Secretariat shall report any such problem immediately after its detection to the State Party who should assist in its resolution.

(vi) The State Party shall immediately notify the Technical Secretariat if an event at the storage facility occurs, or may occur, which may have an impact on the monitoring system. The State Party shall co-ordinate subsequent actions with the Technical Secretariat with a view to restoring the operation of the monitoring system, and establishing interim measures, if necessary, as soon as possible.

(f) Systematic on-site inspections and visits.

(i) Visits to service the monitoring system may be required in addition to systematic on-site inspections to perform any necessary maintenance, replacement of equipment or to adjust the coverage of the monitoring system, if required.

(ii) (The guidelines for determining the frequency of systematic on-site inspections are to be elaborated.) The particular storage facility to be inspected shall be chosen by the Technical Secretariat in such a way as to preclude the prediction of precisely when the facility is to be inspected. During each inspection, the International Inspectors will verify that the monitoring system is functioning correctly and verify the inventory in agreed percentage of bunkers and storage areas.

(g) When all chemical weapons have been removed from the storage facility, the Technical Secretariat shall certify the declaration of the National Authority to that effect. After this certification, the Technical Secretariat shall terminate the international systematic monitoring of the storage facility and will promptly remove all devices and monitoring equipment installed by the International Inspectors.

6. International verification of the removal of chemical weapons for destruction

(a) The State Party shall notify the Technical Secretariat [14] days in advance of the exact timing of removal of chemical weapons from the storage facility and of the planned arrival at the facility where they will be destroyed.

(b) The State Party shall provide the Inspectors with the detailed inventory of the chemical weapons to be moved. The International Inspectors shall be present when chemical weapons are removed from the storage facility and shall verify that the chemical weapons on the inventory are loaded on to the transport vehicles. Upon completion of the loading operations, the International Inspectors shall seal the cargo and/or means of transport, as appropriate.

(c) If only a portion of the chemical weapons is removed, the International Inspectors will verify the accuracy of the inventory of the remaining chemical weapons and make any appropriate adjustments in the monitoring system in accordance with the agreement on subsidiary arrangements.

(d) The International Inspectors shall verify the arrival of the chemical weapons at the destruction facility by checking the seals on the cargo and/or the means of transport and shall verify the accuracy of the inventory of the chemical weapons transported.

7. Inspections and visits

(a) The Technical Secretariat shall notify the State Party of its decision to inspect or visit the storage facility 48 hours prior to the planned arrival of the inspection team at the facility for systematic inspections or visits. In the event of inspections or visits to resolve urgent problems, this period may be shortened. The Technical Secretariat shall specify the purpose(s) of the inspection or visit.

(b) A State Party shall make any necessary preparations for the arrival of the Inspectors and shall ensure their expeditious transportation from their point of entry on the territory of the State Party to the storage facility. The agreement on subsidiary arrangements will specify administrative arrangements for Inspectors.

(c) International Inspectors shall, in accordance with agreements on subsidiary arrangements:

- have unimpeded access to all parts of the storage facilities including any munitions, devices, bulk containers, or other containers therein. While conducting their activity, Inspectors shall comply with the safety regulations at the facility. The items to be inspected will be chosen by the Inspectors;

- bring with them and use such agreed instruments as may be necessary for the completion of their tasks;

- receive samples taken at their request from any devices and bulk containers and other containers at the facility. Such samples will be taken by representatives of the State Party in the presence of the Inspectors;

- perform on-site analysis of samples;

- transfer, if necessary, samples for analysis off-site at a laboratory designated by the Technical Secretariat, in accordance with agreed procedures;

- afford the opportunity to the Host State Party to be present when samples are analysed;

- ensure, in accordance with agreed procedures that samples transported, stored and processed are not tampered with;

- communicate freely with the Technical Secretariat.

(d) The State Party receiving the inspection shall, in accordance with agreed procedures:

- have the right to accompany the International Inspectors at all times during the inspection and observe all their verification activities at the storage facility;

- have the right to retain duplicates of all samples taken and be present when samples are analysed;

- have the right to inspect any instrument used or installed by the International Inspectors and to have it tested in the presence of its personnel;

- provide assistance to the International Inspectors, upon their request, for the installation of the monitoring system and the analysis of samples on-site;

- receive copies of the reports on inspections of its storage facility(ies);

- receive copies, at its request, of the information and data gathered about its storage facility(ies) by the Technical Secretariat.

(e) The International Inspectors may request clarification of any ambiguities arising from the inspection. In the event that any ambiguities arise which cannot be resolved in the course of the inspection, the Inspectors shall inform the (Director-General of the) Technical Secretariat.

(f) After each inspection or visit to the storage facility, International Inspectors shall submit a report with their findings to the (Director-General of the) Technical Secretariat which will transmit a copy of this report to the State Party having received the inspection or visit. Information (to be designated) received during the inspection shall be treated as confidential (procedures to be developed).

III. PRINCIPLES, METHODS AND ORGANIZATION OF THE DESTRUCTION OF CHEMICAL WEAPONS

1. Destruction of chemical weapons means a process by which chemicals are converted in an essentially irreversible way to a form unsuitable for production of chemical weapons, and which in an irreversible manner renders munitions and other devices unusable as such.

2. Each State Party possessing chemical weapons shall determine how it shall destroy them, except that the following processes may not be used: dumping in any body of water, land burial or open-pit burning. It shall destroy chemical weapons only at specifically designated and appropriately designed and equipped facility(ies).

3. The State Party shall ensure that its chemical weapons destruction facility(ies) are constructed and operated in a manner to ensure the destruction of the chemical weapons; and that the destruction process can be verified under the provisions of this convention.

IV. PRINCIPLES AND ORDER OF DESTRUCTION 1/

1. The elaboration of the Order of Destruction shall build on the undiminished security for all States during the entire destruction stage; confidence-building in the early part of the destruction stage; gradual acquisition of experience in the course of destroying chemical weapons stocks and applicability irrespective of the actual composition of the stockpiles and the methods chosen for the destruction of the chemical weapons.

1/ The further development of this entire section has been subject to consultations by the Chairman of Group B, the result of which is included in Appendix II.

2. The destruction of chemical weapons stocks shall start for all States Parties possessing chemical weapons simultaneously. The whole destruction stage shall be divided into nine annual periods.

3. Each State Party shall destroy not less than one ninth of its stockpile [in measure of stockpile equivalent and/or equivalent mustard weight] during each destruction period. 1/ 2/ However, a State Party is not precluded from destroying its stocks at a faster pace. Each State Party shall determine its detailed plans for each destruction period, as specified in part III of this Annex and shall report annually on the implementation of each destruction period. 3/

4. Order of Destruction (to be elaborated). 4/ 5/

1/ It is considered necessary to elaborate a method for comparing different categories of chemical weapons stocks. The comparison of lethal and harmful chemicals remains unresolved and is subject to further consideration.

2/ Some delegations expressed the view that the question of the regulation of the destruction of stockpiles needs further and full discussion.

3/ It has been recognized that the destruction of chemical weapons stocks and the elimination of relevant production facilities should be considered together.

4/ Some delegations feel that it would be appropriate to introduce the idea of security stockpile levels to meet the security concerns of countries with small stockpiles of chemical weapons.

5/ Some delegations drew attention to the proposal contained in CD/822 of 29 March 1988. This proposal is aimed at ensuring the undiminished security of all States during the destruction stage. To this end, it proceeds from the basic undertaking that all CW production shall cease immediately upon entry into force of the Convention and that all chemical weapons storage sites as well as production facilities will be subject from the outset to systematic international on-site verification.

Taking account of existing discrepancies in CW stocks it suggests a specific phased approach, according to which State parties with large CW stocks are to proceed with the destruction of their stockpile until an agreed level is reached in the first phase. In their view, it is only after the end of this first phase, which would result at the end of the fifth year in the levelling out of the large CW stockpiles, that State parties with smaller stockpiles would be required to start with the destruction of their stocks. The whole two phased destruction period would be subject to close monitoring.

V. INTERNATIONAL VERIFICATION OF THE DESTRUCTION OF CHEMICAL WEAPONS

1. The purpose of verification of destruction of chemical weapons shall be:

- to confirm the identity and quantity of the chemical weapons stocks to be destroyed, and

- to confirm that these stocks for all practical purposes have been destroyed.

2. General plans for destruction of chemical weapons

The general plan for destruction of chemical weapons, submitted pursuant to Article IV shall specify:

(a) a general schedule for destruction, giving types and quantities of chemical weapons planned to be destroyed in each period;

(b) the number of chemical weapons destruction facilities existing or planned, to be operated over the 10 years destruction period;

(c) for each existing or planned chemical weapons destruction facility:

- name and address;

- location;

- chemical weapons intended to be destroyed;

- method of destruction;

- capacity;

- expected period of operation;

- products of the destruction process.

3. Detailed plans for destruction of chemical weapons

The detailed plans submitted pursuant to article IV, six months before each destruction period, shall specify:

(a) the aggregate quantity of each individual type of chemical weapons planned to be destroyed at each facility;

(b) the number of chemical weapons destruction facilities and a detailed schedule for the destruction of chemical weapons at each of these facilities;

(c) data about each destruction facility,

- name, postal address, geographical location;

- method of destruction;

- end-products;

- layout plan of the facility;

- technological scheme;

- operation manuals;

- the system of verification;

- safety measures in force at the facility;

- living and working conditions for the international inspectors.

(d) data about any storage facility at the destruction facility planned to provide chemical weapons directly to it during the destruction period,

- layout plan of the facility;

- method and volume of storage estimated by types and quantities of chemical weapons;

- types and quantities of chemical weapons to be stored at the facility during the destruction period;

- safety measures in force at the facility.

(e) After the submission of the first detailed plans, subsequent annual plans should contain only changes and additions to required data elements submitted in the first detailed plans.

4. Review of detailed plans for the destruction of chemical weapons

(a) On the basis of the detailed plan for destruction and proposed measures for verification submitted by the State Party, and as the case may be, on experience from previous inspections and on the relevant agreement(s) on subsidiary arrangements, the Technical Secretariat shall prepare before each destruction period, a plan for verifying the destruction of chemical weapons, consulting closely with the State Party. Any differences between the Technical Secretariat and the State Party should be resolved through consultations. Any unresolved matters shall be forwarded to the Executive Council for appropriate action with a view to facilitating the full implementation of the Convention.

(b) The agreed combined detailed plans for destruction and verification plans, with an appropriate recommendation by the Technical Secretariat, will be forwarded to the members of the Executive Council for review. The members of the Executive Council shall review the plans with a view to approving them, consistent with verification objectives. This review is designed to determine that the destruction of chemical weapons, as planned, is consistent with the obligations under the Convention and the objective of destroying the chemical weapons. It should also confirm that verification schemes for destruction are consistent with verification objectives, and are efficient and workable. This review should be completed 60 days before the destruction period.

(c) Each member of the Executive Council may consult with the Technical Secretariat on any issues regarding the adequacy of the combined plan for destruction and verification. If there are no objections by any members of the Executive Council, the plan shall be put into action.

(d) If there are any difficulties, the Executive Council shall enter into consultations with the State Party to reconcile them. If any difficulties remain unresolved they should be referred to the Consultative Committee.

(e) After a review of the detailed plans of destruction of chemical weapons, the Technical Secretariat, if the need arises, will enter into consultation with the State Party concerned in order to ensure its chemical weapons destruction facility(ies) is (are) designed to assure destruction of chemical weapons, to allow advanced planning on how verification measures may be applied and to ensure that the application of verification measures is consistent with proper facility(ies) operation, and that the facility(ies) operation allows appropriate verification.

(f) Destruction and verification should proceed according to the agreed plan as referred to above. Such verification should not interfere with the destruction process.

5. Agreements on subsidiary arrangements

For each destruction facility, States Parties should conclude with the Organization detailed agreements on subsidiary arrangements for the systematic verification of destruction of chemical weapons. Such agreements shall be based on a Model Agreement and shall specify, for each destruction facility, the detailed on-site inspection procedures and arrangements for the removal of chemical weapons from the storage facility at the destruction facility, transport from this stroage facility to their destruction and the monitoring by on-site instruments, taking into account the specific characteristics of the destruction facility and its mode of operation. The Model Agreement shall include provisions to take into account the need for maintenance and modifications.

6. International Inspectors will be granted access to each chemical weapons destruction facility [30 days] prior to commencement of active destruction phases for the purpose of carrying out an engineering review of the facility, including the facility's construction and layout, the equipment and instruments for measuring and controlling the destruction process, and the checking and testing of the accuracy of the verification equipment.

7. Systematic international on-site verification of destruction of chemical weapons

(a) The Inspectors will be granted access to conduct their activities at the chemical weapons destruction facilities and the chemical weapons storage facilities thereat during the entire active phase of destruction. They will conduct their activities in the presence and with the co-operation of representatives of the facility's management and the National Authority if they wish to be present.

(b) The inspectors may monitor by either physical observation or devices:

(i) the chemical weapons storage facility at the destruction facility and the chemical weapons present;

(ii) the movement of chemical weapons from the storage facility to the destruction facility;

(iii) the process of destruction (assuring that no chemical weapons are diverted);

(iv) the material balance; and

(v) the accuracy and calibration of the instruments.

(c) To the extent consistent with verification needs, verification procedures should make use of information from routine facility operations.

(d) After the completion of each period of destruction, the Technical Secretariat shall certify the declaration of the National Authority, reporting the completion of destruction of the designated quantity of chemical weapons.

(e) International Inspectors shall, in accordance with agreements on subsidiary arrangements:

- have unimpeded access to all parts of the destruction facilities, and the storage facilities thereat, any munitions, devices, bulk containers, or other containers, therein. While conducting their activity, Inspectors shall comply with the safety regulations at these facilities. The items to be inspected will be chosen by the Inspectors in accordance with the verification plan that has been agreed to by the State Party and approved by the Executive Council;

- bring with them and use such agreed instruments as may be necessary for the completion of their tasks;

- monitor the systematic on-site analysis of samples during the destruction process;

- receive, if necessary, samples taken at their request from any devices, bulk containers and other containers at the destruction facility or the storage facility thereat. Such samples will be taken and analysed by representatives of the State Party in the presence of the Inspectors;

- communicate freely with the Technical Secretariat;

- if necessary, transfer samples for analysis off-site at a laboratory designated by the Technical Secretariat, in accordance with agreed procedures;

- ensure, in accordance with agreed procedures, that samples transported, stored and processed are not tampered with;

- afford the opportunity to the host State Party to be present when samples are analysed.

(f) The State Party receiving the inspection shall, in accordance with agreed procedures:

- have the right to accompany the International Inspectors at all times during the inspection and observe all their verification activities at the destruction facility, and the storage facility thereat;

- have the right to retain duplicates of all samples taken at the Inspectors' request and be present when samples are analysed;

- have the right to inspect any agreed standard instrument used or installed by the International Inspectors and to have it tested in the presence of its personnel;

- provide assistance to the International Inspectors, upon their request, for the installation of seals or monitoring devices and the analysis of samples on-site as appropriate to the monitoring of the destruction process;

- receive copies of the reports on inspections of its destruction facility(ies);

- receive copies, at its request, of the information and data gathered about its destruction facility(ies) by the Technical Secretariat.

(g) If Inspectors detect irregularities which may give rise to doubts they will report the irregularities to the representatives of the facility and the National Authority and request that the situation be resolved. Uncorrected irregularities will be reported to the Executive Council.

(h) After each inspection to the destruction facility, International Inspectors shall submit a report with their findings to the (Director-General of the) Technical Secretariat which will transmit a copy of this report to the State Party having received the inspection. Information (to be designated) received during the inspection shall be treated as confidential (procedures to be developed).

8. Chemical weapons storage facilities at chemical weapons destruction facilities

(a) International Inspectors shall verify any arrival of chemical weapons at a chemical weapons storage facility at a chemical weapons destruction facility, as referred to in paragraph 6 (d) of section II of this Annex, and the storing of these chemical weapons. They shall employ, as appropriate, agreed seals, markers or other inventory control procedures to facilitate an accurate inventory of the chemical weapons in this storage facility. They shall install such agreed seals as may be necessary to verify that stocks are removed only for destruction.

(b) As soon and as long as chemical weapons are stored at chemical weapons storage facilities at chemical weapons destruction facilities, these storage facilities shall be subject to international systematic monitoring, as referred to in relevant provisions of paragraph 5 of section II of the present Annex, in conformity with the relevant agreements on subsidiary arrangements or, if no such agreement has been concluded, with the agreed combined plan for destruction and verification.

(c) The International Inspectors will make any appropriate adjustments in the monitoring system in accordance with the relevant agreement on subsidiary arrangements whenever inventory changes occur.

(d) At the end of an active destruction phase, International Inspectors will make an inventory of the chemical weapons that have been removed from the storage facility to be destroyed. They shall verify the accuracy of the inventory of the chemical weapons remaining employing inventory control procedures as referred to above under (a). They shall install such agreed seals as may be necessary to ensure the securing of the storage facility.

(e) The international systematic monitoring of a chemical weapons storage facility at a chemical weapons destruction facility may be discontinued when the active destruction phase is completed, if no chemical weapons remain. If, in addition, no chemical weapons are planned to be stored at this facility, the international systematic monitoring shall be terminated in accordance with section II, paragraph 5 (g) of this Annex.

ANNEX TO ARTICLE V

I. DECLARATIONS AND REPORTS ON CHEMICAL WEAPONS PRODUCTION FACILITIES

A. Declarations of chemical weapons production facilities

The declaration should contain for each facility:

1. Name and exact location.

2. Ownership, operation, control, who ordered and procured the facility.

3. Designation of each facility:

(a) Facility for producing chemicals defined as chemical weapons.

(b) Facility for filling chemical weapons.

4. Products of each facility and dates that they were produced:

(a) Chemicals produced.

(b) Munitions or devices filled, identity of chemical fill.

5. Capacity of the facility, expressed in terms of:

(a) The quantity of end-product that the facility can produce in (period), assuming the facility operates (schedule).

(b) The quantity of chemical that the facility can fill into each type of munition or device in (period), assuming that the facility operates (schedule).

6. Detailed facility description:

(a) Layout of the facility.

(b) Process flow diagram.

(c) Detailed inventory of equipment, buildings and any spare or replacement parts on site.

(d) Quantities of any chemicals or munitions on site.

B. Declarations of former chemical weapons production facilities 1/

The declaration should contain for each facility:

1. All information as in paragraph A, above, that pertains to the operation of the facility as a chemical weapons facility.

1/ All provisions dealing with "former" chemical weapons production facilities need to be reviewed once the definition of chemical weapons production facilities is agreed. In this connection, how to deal with chemical weapons production facilities that have previously been destroyed should also be discussed.

2. Date chemical weapons production ceased.

3. Current status of special equipment that was used for chemical weapons production.

4. Dates of conversion from CW use, date of beginning of non-CW use.

5. Current ownership, operation and control.

6. Current production, stating types and quantities of product(s).

7. Current capacity of the facility, expressed in terms of the quantity of end-product that can be produced in (period), assuming the facility operates (schedule).

8. Current detailed facility description:

(a) Layout of the facility.

(b) Process flow diagram.

(c) Location of any CW-specific equipment remaining on-site.

(d) Quantities of any chemical weapons remaining on-site.

C. Declarations of chemical weapons production facilities under the control of others on the territory of the State Party 1/

- Responsibility for declarations (to be discussed).

- All elements contained in part IA of this Annex should be declared.

D. Declarations of former chemical weapons production facilities under the control of others on the territory of the State Party

- Responsibility for declarations (to be discussed).

- All elements contained in part IB of this Annex should be declared.

E. Declarations of transfers

1. Chemical weapons production equipment means (to be developed).

2. The declaration should specify:

(a) who received/transferred chemical weapons production equipment [and technical documentation];

1/ All provisions dealing with "former" chemical weapons production facilities need to be reviewed once the definition of chemical weapons production facilities is agreed. In this connection, how to deal with chemical weapons production facilities that have been previously destroyed should also be discussed.

(b) the identity of the equipment;

(c) date of transfer;

(d) whether the chemical weapons production equipment [and documentation] were eliminated, if known;

(e) current disposition, if known.

F. Declarations of measures to ensure closure of:

1. Facilities under the jurisdiction or control of the State Party (to be developed).

2. Facilities on the State Party's territory under the control of others (to be developed).

G. Annual Reports (to be developed)

H. Final Certification of Destruction (to be developed)

II. PRINCIPLES AND METHODS OF DESTRUCTION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

A. General

Each State Party shall decide on methods to be applied for the destruction 1/ of its chemical weapons production facilities, according to the principles laid down in Article V and in this Annex. 2/

B. Closure and methods for closing the facility

1. The purpose of the closure of a chemical weapons production facility is to render it inoperable as such.

2. Agreed measures for closure will be taken by the State Party with due regard to the specific characteristics of each facility. Such measures shall include, inter alia: 3/

- prohibition of occupation of buildings except for agreed activities;

- disconnection of equipment directly related to the production of chemical weapons to include, inter alia, process control equipment and utilities;

1/ Further discussion is needed of possible methods of destruction and of related definitions.

2/ The responsibility for carrying out measures when more than one State is involved needs to be discussed.

3/ The activities and items in these measures will need further elaboration and discussion in light of methods of destruction and characteristics of specific facilities.

- disabling of protective installations and equipment used exclusively for the safety of operations of the chemical weapons production facility;

- interruption of rail and other roads to the chemical weapons production facility except those required for agreed activities.

3. While the chemical weapons production facility remains closed, the State Party may continue safety activities at the facility.

C. Activities related to destruction

1. Destruction of equipment covered by the definition of a "chemical weapons production facility"

- All specialized and standard equipment shall be physically destroyed.

- "Specialized equipment" is:

  . the main production train, including any reactor or equipment for product synthesis, separation or purification, any equipment used directly for heat transfer in the final technological stage (for example, in reactors or in product separation), as well as any other equipment which has been in contact with any Schedule 1 chemical, or any other chemical that has no use for permitted purposes above ... kilograms per year but can be used for chemical weapons purposes, or would be if the facility were operated.

  . any chemical weapon filling machines.

  . any other equipment specially designed, built or installed for the operation of the facility as a chemical weapons production facility, as distinct from a facility constructed according to prevailing commercial industry standards for facilities not producing super-toxic lethal or corrosive chemicals. (Examples include equipment made of high-nickel alloys or other special corrosion-resistant material; special equipment for waste control, waste treatment, air filtering, or solvent recovery; special containment enclosures and safety shields; non-standard laboratory equipment used to analyse toxic chemicals for chemical weapons purposes; custom-designed process control panels; dedicated spares for specialized equipment.)

- "Standard equipment" includes:

  . production equipment which is generally used in the chemical industry and is not included in the types of "specialized equipment";

  . other equipment commonly used in the chemical industry, such as fire-fighting equipment, guard and security/safety surveillance equipment, medical facilities, laboratory facilities, communications equipment.

2. Destruction of buildings covered by the definition of a "chemical weapons production facility"

- The word "building" shall include underground structures.

- All specialized and standard buildings shall be physically destroyed.

- "Specialized building" is:

  . any building containing specialized equipment in a production or filling configuration;

  . any building which has distinctive features which distinguish it from buildings normally used for chemical production or filling activities not banned by the convention.

- "Standard buildings" means buildings constructed to prevailing industry standards for facilities not producing super-toxic lethal or corrosive chemicals.

3. Facilities for producing unfilled chemical munitions and specialized equipment for chemical weapons employment

- Facilities used exclusively for production of: (a) non-chemical parts for chemical munitions or (b) specialized equipment for chemical weapons employment, shall be declared and eliminated. The elimination process and its verification should be conducted according to the provisions of Article V that govern destruction of chemical weapons production facilities.

- All equipment designed or used exclusively for producing non-chemical parts for chemical munitions shall be physically destroyed. Such equipment, which includes specially-designed moulds and metal-forming dies, may be brought to a special location for destruction. International inspectors shall be present during the destruction process.

- All buildings and standard equipment used for such production activities shall be converted to permitted purposes, with confirmation as necessary through consultations or challenge inspection.

- Permitted activities may continue while destruction or conversion proceeds.

D. Activities related to temporary conversion to destruction facility (to be developed)

E. Activities related to former chemical weapons production facilities 1/

1/ All provisions dealing with "former" chemical weapons production facilities need to be reviewed once the definition of chemical weapons production facilities is agreed. In this connection, how to deal with chemical weapons production facilities that have previously been destroyed should also be discussed.

III. ORDER OF DESTRUCTION (to be developed)

IV. PLANS

A. General Plans

1. For each facility the following information should be supplied:

(a) envisaged time-frame for measures to be taken;

(b) methods of destruction.

2. In relation to temporary conversion into chemical weapons destruction facility:

(i) envisaged time-frame for conversion into a destruction facility;

(ii) envisaged time for utilizing the facility as a destruction facility;

(iii) description of the new facility;

(iv) method of destruction of special equipment;

(v) time-frame for destruction of the converted facility after it has been utilized to destroy chemical weapons;

(vi) method of destruction of the converted facility.

3. In relation to former chemical weapons production facilities (to be elaborated). 1/

B. Detailed plans

1. The detailed plans for destruction of each facility should contain:

(a) detailed time schedule of destruction process;

(b) layout of the facility;

(c) process flow diagram;

(d) detailed inventory of equipment, buildings and other items to be destroyed;

(e) measures to be applied to each item on the inventory;

(f) proposed measures for verification;

1/ All provisions dealing with "former" chemical weapons production facilities need to be reviewed once the definition of chemical weapons production facilities is agreed. In this connection, how to deal with chemical weapons production facilities that have previously been destroyed should also be discussed.

(g) security/safety measures to be observed during the destruction of the facility;

(h) working and living conditions to be provided for international inspectors.

2. In relation to the temporary conversion into a chemical weapons destruction facility.

In addition to the information contained in part IV.B.1 of this Annex the following information should be provided:

(i) method of conversion into a destruction facility;

(ii) data on the destruction facility, in accordance with the Annex to Article IV, part V.3.(c) and (d).

3. In relation to destruction of a facility that was temporarily converted for destruction of chemical weapons, information should be provided in accordance with part IV.B.1 of this Annex.

4. In relation to former chemical weapons production facilities. 1/

V. INTERNATIONAL VERIFICATION OF DECLARATIONS OF CHEMICAL WEAPONS PRODUCTION FACILITIES AND THEIR CLOSURE, INTERNATIONAL SYSTEMATIC MONITORING, INTERNATIONAL SYSTEMATIC VERIFICATION OF DESTRUCTION OF CHEMICAL WEAPONS PRODUCTION FACILITIES 2/

1. International verification of declarations of chemical weapons production facilities and of cessation of their activities

(a) International verification by initial on-site inspections

(i) The purpose of the international verification of declarations of chemical weapons production facilities shall be:

- to confirm that all activity has ceased except that required for closure;

- to confirm through on-site inspections the accuracy of the declarations made in accordance with Article V.

1/ All provisions dealing with "former" chemical weapons production facilities need to be reviewed once the definition of chemical weapons production facilities is agreed. In this connection, how to deal with chemical weapons production facilities that have previously been destroyed should also be discussed.

2/ This Section of this Annex will require further discussion and elaboration upon resolution of the definitions of chemical weapons, chemical weapons production facilities, and methods of destruction.

(ii) The International Inspectors shall conduct this initial verification promptly, and in any event not later than [60] days after a declaration is submitted.

(iii) They shall employ, as appropriate, agreed seals, markers or other inventory control procedures to faciliate an accurate inventory of the declared items at each chemical weapons production facility.

(iv) International Inspectors shall install such agreed devices as may be necessary to indicate if any resumption of production of chemical weapons occurs or if any declared item is removed. They shall take the necessary precaution not to hinder closure activities by the State Party. International Inspectors may return to maintain and verify the integrity of the devices.

(b) Co-ordination for international systematic monitoring of chemical weapons production facilities

In conjunction with the initial on-site inspections to verify declarations of chemical weapons production facilities, the International Inspectors shall undertake necessary co-ordination for measures of systematic monitoring of these facilities as provided for in paragraph 4, below.

2. Agreements on subsidiary arrangements 1/

(a) Within [6] months after entry into force of the Convention, States Parties shall conclude with the Organization detailed agreements on subsidiary arrangements for the systematic monitoring of their chemical weapons production facilities. Such agreements shall be based on a Model Agreement and shall specify for each production facility the detailed inspection procedures and arrangements for the installation, operation and maintenance of the seals and monitoring devices by the Technical Secretariat, taking into account the specific characteristics of each facility. The Model Agreement shall include provisions to take into account future technological developments.

(b) States Parties shall ensure that the verification of declarations of chemical weapons production facilities and the initiation of systematic monitoring can be accomplished by the Technical Secretariat at all such facilities within the agreed time frames after the Convention enters into force. 2/

1/ The coverage of the subsidiary arrangements is to be discussed.

2/ Procedures to ensure the implementation of the verification scheme within designated time frames are to be developed.

3. International verification of closure of chemical weapons production facilities

Subsequent to the on-site verification of declarations as referred to in paragraph 1, the International Inspectors shall conduct on-site inspections at each chemical weapons production facility for the purpose of verifying that measures referred to under 3 (b) have been accomplished.

4. International systematic monitoring of chemical weapons production facilities

(a) The purpose of the international systematic monitoring of a chemical weapons production facility shall be to ensure that no resumption of production of chemical weapons nor removal of declared items would go undetected at this facility.

(b) The international systematic monitoring shall be initiated as soon as possible after the closure of the chemical weapons production facility and shall continue until this facility is destroyed. Systematic monitoring shall be ensured, in accordance with the agreements on subsidiary arrangements, through a combination of continuous monitoring with on-site instruments and systematic verification by international on-site inspections or, where the continuous monitoring with on-site instruments is not feasible, by the presence of International Inspectors.

(c) In conjunction with the on-site verification of the closure of chemical weapons production facilities referred to in paragraph 4 above and, if the relevant agreement on subsidiary arrangements for the systematic monitoring of a chemical weapons production facility has been concluded, International Inspectors shall install for the purpose of this systematic monitoring a monitoring system as referred to under (e) below. If no such agreement has been concluded, the International Inspectors will initiate the systematic monitoring by their continuous presence on-site until the agreement is concluded, and the monitoring system installed and activated.

(d) In the period before the activation of the monitoring system and at other times when the continuous monitoring with on-site instruments is not feasible, devices installed by International Inspectors, in accordance with paragraph 1 above, may only be removed in the presence of an International Inspector. If an extraordinary event results in, or requires, the removal of a device when an inspector is not present, a State Party shall immediately inform the Technical Secretariat and International Inspectors will return as soon as possible to validate the inventory and re-establish the devices.

(e) Monitoring with instruments

(i) For the purpose of the systematic monitoring of a chemical weapons production facility, International Inspectors will install, in the presence of host country personnel and in conformity with the relevant agreement on subsidiary arrangements, a monitoring system consisting of, inter alia, sensors, ancillary equipment and transmission systems. The agreed types of these instruments shall be specified in the Model Agreement. They shall incorporate, inter alia, seals and other tamper-indicating and tamper-resistant devices as well as data protection and data authentication features.

(ii) The monitoring system shall have such abilities and be installed, adjusted or directed in such a way as to correspond strictly and efficiently to the sole purpose of detecting prohibited or unauthorized activities within the chemical weapons production facility as referred to above under (a). The coverage of the monitoring system shall be limited accordingly. The monitoring system will signal the Technical Secretariat if any tampering with its components or interference with its functioning occurs. Redundancy shall be built into the monitoring system to ensure that failure of an individual component will not jeopardize the monitoring capability of the system.

(iii) When the monitoring system is activated, International Inspectors will verify the accuracy of the inventory of declared items at each chemical weapons production facility as required.

(iv) Data will be transmitted from each production facility to the Technical Secretariat by (means to be determined). The transmission system will incorporate frequent transmissions from the production facility and a query and response system between the production facility and the Technical Secretariat. International Inspectors shall periodically check the proper functioning of the monitoring system.

(v) In the event that the monitoring system indicates any irregularity, the International Inspectors would immediately determine whether this resulted from equipment malfunction or activities at the production facility. If, after this examination the problem remained unresolved, the Technical Secretariat would immediately ascertain the actual situation, including through immediate on-site inspection or visit of the production facility if necessary. The Technical Secretariat shall report any such problem immediately after its detection to the State Party who should assist in its resolution.

(vi) The State Party shall immediately notify the Technical Secretariat if an event at the production facility occurs, or may occur, which may have an impact on the monitoring system. The State Party shall co-ordinate subsequent actions with the Technical Secretariat with a view to restoring the operation of the monitoring system and establishing interim measures, if necessary, as soon as possible.

(f) Systematic on-site inspections and visits

(i) During each inspection, the International Inspectors will verify that the monitoring system is functioning correctly and verify the declared inventory as required. In addition, visits to service the monitoring system will be required to perform any necessary maintenance or replacement of equipment, or to adjust the coverage of the monitoring system as required.

(ii) (The guidelines for determining the frequency of systematic on-site inspections are to be elaborated). The particular production facility to be inspected shall be chosen by the Technical Secretariat in such a way as to preclude the prediction of precisely when the facility is to be inspected.

5. International verification of destruction of chemical weapons production facilities

(a) The purpose of international verification of destruction of chemical weapons production facilities shall be to confirm that the facility is destroyed as such in accordance with the obligations under the Convention and that each item on the declared inventory is destroyed in accordance with the agreed detailed plan for destruction.

(b) [3-6] months before destruction of a chemical weapons production facility, a State Party shall provide to the Technical Secretariat the detailed plans for destruction to include proposed measures for verification of destruction referred to in Section IV.B.1 (f) of the present Annex, with respect to, e.g.:

- timing of the presence of the inspectors at the facility to be destroyed;

- procedures for verification of measures to be applied to each item on the declared inventory;

- measures for phasing out systematic monitoring or for adjustment of the coverage of the monitoring system.

(c) On the basis of the detailed plan for destruction and proposed measures for verification submitted by the State Party, and on experience from previous inspections, the Technical Secretariat shall prepare a plan for verifying the destruction of the facility, consulting closely with the State Party. Any differences between the Technical Secretariat and the State Party concerning appropriate measures should be resolved through consultations. Any unresolved matters shall be forwarded to the Executive Council 1/ for appropriate action with a view to facilitating the full implementation of the Convention.

(d) To ensure that the provisions of Article V and this Annex are fulfilled, the combined plans for destruction and verification shall be agreed upon between the Executive Council and the State Party. This agreement should be completed [60] days before the planned initiation of destruction.

(e) Each member of the Executive Council may consult with the Technical Secretariat on any issues regarding the adequacy of the combined plan for destruction and verification. If there are no objections by any members of the Executive Council, the plan shall be put into action.

(f) If there are any difficulties, the Executive Council should enter into consultations with the State Party to reconcile them. If any difficulties remain unresolved they should be referred to the Consultative Committee. The resolution of any differences over methods of destruction should not delay the execution of other parts of the destruction plan that are acceptable.

1/ The role of the Executive Council in the review process will need to be reviewed in the light of its composition and decision-making process.

(g) If agreement is not reached with the Executive Council on aspects of verification, or if the approved verification plan cannot be put into action, verification of destruction will proceed by the continuous on-site monitoring and presence of inspectors.

(h) Destruction and verification should proceed according to the agreed plan. The verification should not unduly interfere with the destruction process and should be conducted through the presence of on-site Inspectors to witness the destruction. 1/

(i) If required verification or destruction actions are not taken as planned, all States Parties should be so informed. (Procedures to be developed.)

(j) For those items that may be diverted for permitted purposes. 2/

(k) When all items on the declared inventory have been destroyed, the Technical Secretariat shall certify, in writing, the declaration of the State Party to that effect. After this certification, the Technical Secretariat shall terminate the international systematic monitoring of the chemical weapons production facility and will promptly remove all devices and monitoring equipment installed by the International Inspectors.

(l) After this certification, the State Party will make the declaration that the facility has been destroyed.

6. International verification of temporary conversion of a chemical weapons production facility into a chemical weapons destruction facility

(to be elaborated)

7. Inspections and visits

(a) The Technical Secretariat shall notify the State Party of its decision to inspect or visit a chemical weapons production facility 48 hours prior to the planned arrival of the inspection team at the facility for systematic inspections or visits. In the event of inspections or visits to resolve urgent problems, this period may be shortened. The Technical Secretariat shall specify the purpose(s) of the inspection or visit.

(b) A State Party shall make any necessary preparations for the arrival of the Inspectors and shall ensure their expeditious transportation from their point of entry on the territory of the State Party to the chemical weapons production facility. The agreement on subsidiary arrangements will specify administrative arrangements for Inspectors.

1/ This verification measure may not necessarily be the only one and others, as appropriate, may need to be further elaborated.

2/ Specification of the items, permitted purposes and methods of verification of disposition will need to be elaborated.

(c) International Inspectors shall, in accordance with agreements on subsidiary arrangements:

- have unimpeded access to all parts of the chemical weapons production facilities. While conducting their activity, Inspectors shall comply with the safety regulations at the facility. The items on the declared inventory to be inspected will be chosen by the Inspectors;

- bring with them and use such agreed instruments as may be necessary for the completion of their tasks;

- communicate freely with the Technical Secretariat.

(d) The State Party receiving the inspection shall, in accordance with agreed procedures:

- have the right to accompany the International Inspectors at all times during the inspection and observe all their verification activities at the chemical weapons production facility;

- have the right to inspect any instrument used or installed by the International Inspectors and to have it tested in the presence of State Party personnel;

- provide assistance to the International Inspectors upon their request for the installation of the monitoring system;

- receive copies of the reports on inspections of its chemical weapons production facility(ies);

- receive copies, at its request, of the information and data gathered about its chemical weapons production facility(ies) by the Technical Secretariat.

(e) The International Inspectors 1/ may request clarification of any ambiguities arising from the inspection. In the event that any ambiguities arise which cannot be resolved in the course of the inspections, the inspectors shall inform the (Director-General of the) Technical Secretariat immediately.

(f) After each inspection or visit to the chemical weapons production facility, International Inspectors shall submit a report with their findings to the (Director-General of the) Technical Secretariat which will transmit a copy of this report to the State Party having received the inspection or visit. Information (to be designated) received during the inspection shall be treated as confidential (procedures to be developed).

1/ The question of whether or not an individual Inspector shall have the rights set out in this and the following paragraph remains open.

ANNEX TO ARTICLE VI [O.]

MODALITIES FOR REVISION OF LISTS

1. The revisions envisaged would consist of additions to, deletions from, or shifts between the lists.

2. A revision could be proposed by a State Party. [If the Technical Secretariat has information which in its opinion may require a revision of the lists of chemicals, it should provide that information to the [Executive Council] which should communicate it to all States Parties.] A State Party may request the assistance of the Technical Secretariat in the substantiation of its proposal.

3. A proposal for revision should be submitted to [the Technical Secretariat] [the Executive Council] [the Depositary of the Convention].

4. [The Technical Secretariat] [The Executive Council] [The Depositary of the Convention], upon receipt of a proposal for revision, will be responsible for informing States Parties about it.

5. The proponent should substantiate its proposal with the necessary information. Any State Party and, as requested, the Technical Secretariat, could also provide relevant information for the evaluation of the proposal.

6. Technical evaluations of a proposal may be made by the Organization, 1/ [the Executive Council], any State Party [and the Technical Secretariat].

7. The decision on a proposal should be taken by the Organization 1/ [the Consultative Committee] by [a majority vote] [consensus] [tacit approval of all States Parties 60 days after they have been informed of the proposal by the Technical Secretariat. If there is no tacit approval, the matter should be reviewed by the [Consultative Committee] at its next meeting.] [If urgent consideration is requested by five or more Parties, a special meeting of the Consultative Committee should be promptly convened.]

8. The revision procedure should be concluded within [60 days] after the receipt of the proposal. Once a decision is taken, it should enter into force after a period of [30 days].

9. The Technical Secretariat should provide assistance to any State Party, when requested, in evaluating an unlisted chemical. This assistance should be confidential [unless it is established in the evaluation that the chemical has chemical weapon properties].

1/ The question of which organ(s) of the Organization should be entrusted with this task should be considered further.

ANNEX TO ARTICLE VI [1]

GENERAL PROVISIONS

1. A State Party shall not produce, acquire, retain, transfer or use chemicals in Schedule [1] unless:

(i) the chemicals are applied to research, medical or protective purposes, 1/ and

(ii) the types and quantities of chemicals are strictly limited to those which can be justified for research, medical or protective purpose, and

(iii) the aggregate amount of such chemicals at any given time for [permitted] [protective] purposes is equal to or less than one metric tonne, and

(iv) the aggregate amount for [permitted] [protective] purposes acquired by a State Party in any calendar year through production, withdrawal from chemical weapons stocks and transfer is equal to or less than one metric tonne.

TRANSFERS

2. A State Party may transfer chemicals in Schedule [1] outside its territory only to another State Party and only for research, medical or protective purposes in accordance with paragraph 1.

3. Chemicals transferred shall not be retransferred to a third State.

4. Thirty days prior to any transfer to another State Party both States Parties shall notify the Consultative Committee.

5. Each State Party shall make a detailed annual declaration regarding transfers during the previous calendar year. The declaration shall be submitted within ... months after the end of that year and shall for each chemical in Schedule [1] include the following information:

(i) the chemical name, structural formula and Chemical Abstracts Service Registry Number (if assigned);

(ii) the quantity acquired from other States or transferred to other States Parties. For each transfer the quantity, recipient and purpose should be included.

1/ A view was expressed that for consistency in this Annex, "permitted purposes" should be used instead of "research, medical or protective purposes". The view was also expressed that use of the term "permitted" would broaden considerably the sphere of use of super-toxic lethal chemicals which could be used as chemical weapons and that this was very undesirable.

SINGLE SMALL-SCALE PRODUCTION FACILITY

Each State Party which produces chemicals in Schedule [1] for [permitted] [protective] purposes shall carry out the production at a single small-scale facility, the capacity of which shall not exceed [one] metric tonne per year, as measured by the method established in [ ]. 1/

I. Declarations

A. Initial declarations

Each State Party which plans to operate such a facility shall provide the Consultative Committee with the location and a detailed technical description of the facility, including an inventory of equipment and detailed diagrams. For existing facilities, this information shall be provided not later than 30 days after the Convention enters into force for the State Party. Information on new facilities shall be provided six months before operations are to begin.

B. Advance notifications

Each State Party shall give advance notification to the Technical Secretariat of planned changes related to the initial declaration. The notification shall be submitted not later than ... months before the changes are to take place.

C. Annual declarations

(a) Each State Party possessing a facility shall make a detailed annual declaration regarding the activities of the facility for the previous calendar year. The declaration shall be submitted within ... months after the end of that year and shall include:

1. Identification of the facility

2. For each chemical in Schedule [1] produced, acquired, consumed or stored at the facility, the following information:

(i) the chemical name, structural formula and Chemical Abstracts Service Registry Number (if assigned);

(ii) the methods employed and quantity produced;

(iii) the name and quantity of precursor chemicals listed in Schedules [1], [2] or [3] used for production of chemicals in Schedule [1];

(iv) the quantity consumed at the facility and the purpose(s) of the consumption;

1/ The view was expressed that the single small-scale production facility should be State-owned.

(v) the quantity received from or shipped to other facilities within the State Party. For each shipment the quantity, recipient and purpose should be included;

(vi) the maximum quantity stored at any time during the year;

(vii) the quantity stored at the end of the year.

3. Information on any changes at the facility during the year compared to previously submitted detailed technical descriptions of the facility including inventories of equipment and detailed diagrams.

(b) Each State Party possessing a facility shall make a detailed annual declaration regarding the projected activities and the anticipated production at the facility for the coming calendar year. The declaration shall be submitted not later than ... months before the beginning of that year and shall include:

1. Identification of the facility

2. For each chemical in Schedule [1] produced, consumed or stored at the facility, the following information:

(i) the chemical name, structural formula and Chemical Abstracts Service Registry Number (if assigned);

(ii) the quantity anticipated to be produced and the purpose of the production.

3. Information on any anticipated changes at the facility during the year compared to previously submitted detailed technical descriptions of the facility including inventories of equipment and detailed diagrams.

II. Verification

1. The aim of verification activities at the facility shall be to verify that the quantities of Schedule [1] chemicals produced are correctly declared and, in particular, that their aggregate amount does not exceed one metric tonne.

2. The single small-scale production facility shall be subject to systematic international on-site verification, through on-site inspection and monitoring with on-site instruments.

3. The number, intensity, duration, timing and mode of inspections for a particular facility shall be based on the risk to the objectives of the Convention posed by the relevant chemicals, the characteristics of the facility and the nature of the activities carried out there. The guidelines to be used shall include: (to be developed)

4. Each facility shall receive an initial visit from international inspectors promptly after the facility is declared. The purpose of the initial visit shall be to verify information provided concerning the facility,

including verification that the capacity will not permit the production, on an annual basis, of quantities [significantly] above one metric tonne, and to obtain any additional information needed for planning future verification activities at the facility, including inspection visits and use of on-site instruments.

5. Each State Party possessing or planning to possess a facility shall execute an agreement, based on a model agreement, with the Organization, before the facility begins operation or is used, covering detailed inspection procedures for the facility. Each agreement shall include: (to be developed) 1/

OTHER FACILITIES

[Facilities which synthesize, acquire or use chemicals in Schedule [1] for research or medical purposes shall be approved by the State Party. Synthesis at each such facility for research and medical purposes shall be limited per annum to a total maximum of [..]g and to [..]g of any one chemical on the Schedule.]

[Facilities which acquire or use chemicals in Schedule [1] for permitted purposes shall be approved by the State Party. Each transfer from the single small-scale production facility to such facilities shall be notified to the Consultative Committee by inclusion in the annual data reporting, with an indication of the chemical or chemicals involved, the amount transferred and the purpose of the transfer.]

I. Declarations

A. Initial declarations

The location of the facilities approved by the State Party shall be provided to the Consultative Committee.

B. Advance notifications

C. Annual declarations

II. Verification

Facilities shall be monitored through annual data reporting to the Consultative Committee. The following information shall be included: (to be developed)

1/ The view was expressed that pending conclusion of the agreement between a State Party and the Organization there would be a need for provisional inspection procedures to be formulated.

ANNEX TO ARTICLE VI [1]
SCHEDULE [1]

PROVISIONAL LIST 1/

1. O-Alkyl alkylphosphonofluoridates

e.g. Sarin:	O-isopropyl methylphosphonofluoridate	(107-44-8)
Soman:	O-pinacolyl methylphosphonofluoridate	(96-64-0)

2. O-Alkyl N,N-dialkylphosphoramidocyanidates

e.g. Tabun:	O-ethyl N,N-dimethylphosphoramidocyanidate	(77-81-6)

3. O-Alkyl S-2-dialkylaminoethylalkylphosphonothiolates

e.g. VX:	O-ethyl S-2-diisopropylaminoethylmethyl-phosphonothiolate	(50782-69-9)

4. Sulphur mustards:

e.g.	Mustard gas (H):	bis(2-chloroethyl)sulphide	(505-60-2)
	Sesquimustard (Q):	1,2-bis(2-chloroethylthio)ethane	(3563-36-8)
	O-Mustard (T):	bis(2-chloroethylthioethyl)ether	(63918-89-8)

5. Lewisites

Lewisite 1:	2-chlorovinyldichloroarsine	(541-25-3)
Lewisite 2:	bis(2-chlorovinyl)chloroarsine	(40334-69-8)
Lewisite 3:	tris(2-chlorovinyl)arsine	(40334-70-1)

6. Nitrogen mustards

HN1:	bis(2-chloroethyl)ethylamine	(538-07-8)
HN2:	bis(2-chloroethyl)methylamine	(51-75-2)
HN3:	tris(2-chloroethyl)amine	(555-77-1)

7. 3-Quinuclidinyl benzilate (BZ) (6581-06-2)

8. Alkylphosphonyldifluorides

e.g.	DF	(676-99-3)

9. Ethyl O-2-diisopropylaminoethyl alkylphosphonites

e.g.	QL	(57856-11-8)

1/ Some of the chemicals on the Schedules exist in more than one stereoisomeric form. It is proposed that, where assigned, the Chemical Abstracts Service Registry Numbers be stated for each of them.

To be discussed further

1. Saxitoxin

2. 3,3-Dimethylbutan-2-ol (pinacolyl alcohol)

3. CS

4. CR

5. Chloro Soman and Chloro Sarin

6. Sulphur Mustards: to include compounds listed below.

   2-chloroethylchloromethylsulphide

   bis(2-chloroethyl)sulphone

   bis(2-chloroethylthio)methane

   1,3-bis(2-chloroethylthio)-n-propane

   1,4-bis(2-chloroethylthio)-n-butane

ANNEX TO ARTICLE VI [2]

KEY PRECURSOR CHEMICALS

DECLARATIONS

The Initial and Annual Declarations to be provided by a State Party under paragraphs 3 and 4 of Article VI shall include:

1. Aggregate national data on the production, processing and consumption of each chemical listed in Schedule [2], and on the export and import of the chemicals in the previous calendar year with an indication of the countries involved.

2. The following information for each facility which, during the previous calendar year, produced, processed or consumed more than [ ] tonnes per annum of the chemicals listed in Schedule [2] or which produced 1/ at any time since ... a chemical in Schedule [2] for chemical weapons purposes: 2/

Key Precursor Chemical(s)

(i) The chemical name, common or trade name used by the facility, structural formula, and Chemical Abstracts Service Registry Number (if assigned).

(ii) The total amount produced, consumed, imported and exported in the previous calendar year. 3/

(iii) The purpose(s) for which the key precursor chemical(s) are produced, consumed or processed:

(a) conversion on-site (specify product type)

(b) sale or transfer to other domestic industry (specify final product type)

(c) export of a key precursor (specify which country)

(d) other.

1/ A view was expressed that the question of a quantitative threshold would need to be discussed in this context.

2/ The placement in the Convention of the obligation to declare facilities which produced a chemical in Schedule [2] for chemical weapons purposes needs further consideration. A view was expressed that this obligation should be included in the Annex to Article V.

3/ Whether the total amount is to be expressed as an exact figure or within a range is to be discussed.

Facility 1/ 2/

(i) The name of the facility and of the owner, company, or enterprise operating the facility.

(ii) The exact location of the facility (including the address, location of the complex, location of the facility within the complex *including the specific building and structure number, if any*).

(iii) Whether the facility is dedicated to producing or processing the listed key precursor or is multi-purpose.

(iv) The main orientation (purpose) of the facility.

(v) Whether the facility can readily be used to produce a Schedule [1] chemical or another Schedule [2] chemical. Relevant information should be provided, when applicable.

(vi) The production capacity 3/ for the declared Schedule [2] chemical(s).

(vii) Which of the following activities *are performed* with regard to the key precursor chemicals:

(a) production

(b) processing with conversion into another chemical

(c) processing without chemical conversion

(d) other - specify.

(viii) Whether at any time during the previous calendar year declared key precursors were stored on-site in quantities greater than [ ] [tonnes].

1/ One delegation suggested that, in the case of a multi-purpose facility currently producing key precursor chemicals, the following should be specified:

- general description of the products;
- detailed technological plan of the facility;
- list of special equipment included in the technological plan;
- type of waste treatment equipment;
- description of each final product (chemical name, chemical structure and register number);
- unit capacity for each product;
- use of each product.

2/ The view was expressed that a definition of a chemical production facility was needed and thus should be elaborated.

3/ How to define production capacity remains to be agreed upon. Some consultations with technical experts have taken place on this issue. A report on these consultations is enclosed in Appendix II to facilitate further work by delegations.

Advance notifications

3. (a) Each State Party shall annually notify the Technical Secretariat of facilities which intend, during the coming calendar year, to produce, process or consume more than ... of any chemical listed in Schedule [2]. The notification shall be submitted not later than ... months before the beginning of that year and shall for each facility include the following information:

(i) The information specified under paragraph 2 above, except for quantitative information relating to the previous calendar year;

(ii) For each chemical listed in Schedule [2] intended to be produced or processed, the total quantity intended to be produced or processed during the coming calendar year and the time period(s) when the production or processing is anticipated to take place.

(b) Each State Party shall notify the Technical Secretariat of any production, processing or consumption planned after the submission of the annual notification under paragraph 3 (a), not later than one month before the production or processing is anticipated to begin. The notification shall for each facility include the information specified under paragraph 3 (a).

Verification 1/

Aim

4. The aim of the measures stipulated in Article VI, paragraph 6 shall be to verify that:

(i) Facilities declared under this Annex are not used to produce any chemical listed in Schedule [1]. 2/

(ii) The quantities of chemicals listed in Schedule [2] produced, processed or consumed are consistent with needs for purposes not prohibited by the Chemical Weapons Convention. 3/

(iii) The chemicals listed in Schedule [2] are not diverted or used for purposes prohibited by the Chemical Weapons Convention.

1/ Some of the provisions contained in this section have general application throughout the Convention. It is understood that the retention of these will be reviewed at a later stage in the negotiations.

2/ It was suggested that "or for any other purposes prohibited by the Convention" should be added.

3/ Opinions were expressed on the need to consider the question of the existence in a facility of excessive capacity for the production of chemicals in Schedule [2].

Obligation and Frequency

5. (i) Each facility notified to the Technical Secretariat under this Annex shall be subject to systematic international on-site verification on a routine basis.

(ii) The number, intensity, duration, timing and mode of inspections and monitoring with on-site instruments for a particular facility shall be based on the risk to the objectives of the Convention posed by the relevant chemical, the characteristics of the facility and the nature of the activities carried out there. 1/ 2/ The guidelines to be used shall include: (to be developed). 3/

Selection

6. The particular facility to be inspected shall be chosen by the Technical Secretariat in such a way to preclude the prediction of precisely when the facility is to be inspected.

Notification

7. A State Party shall be notified by the Technical Secretariat of the decision to inspect a facility referred to in paragraphs 2 and 3 .... hours prior to the arrival of the inspection team.

Host State Party

8. The host State Party shall have the right to designate personnel to accompany an international inspection team. The exercise of this right shall not affect the right of inspectors to obtain access to the facility, as provided by the Convention, nor shall it delay or otherwise impede the carrying out of the inspection.

1/ One delegation suggested that the number of such inspections could be from 1 to 5 per year.

2/ A number of possible factors that could influence the number, intensity, duration, timing and mode of inspections have been identified and discussed. The result of this work is enclosed in Appendix II to serve as a basis for future work.

3/ It was noted that a "weighted approach" might be taken in determining the inspection régime for specific chemicals. The importance of establishing a threshold(s) in this context was also noted. It was mentioned that a threshold(s) should relate to "military significant quantities" of the relevant chemical(s).

Initial Visit

9. Each facility notified to the Technical Secretariat under this Annex shall be liable to receive an initial visit from international inspectors, promptly after the State becomes a Party to the Convention.

10. The purpose of the initial visit shall be to verify information provided concerning the facility to be inspected and to obtain any additional information needed for planning future verification activities at the facility, including inspection visits and use of on-site instruments.

Agreement on Inspection Procedures

11. Each State Party shall execute an agreement, based on a model agreement, with the Organization, within [6] months after the Convention enters into force for the State, governing the conduct of the inspections of the facilities declared by the State Party. The agreement shall provide for the detailed subsidiary arrangements which shall govern inspections at each facility. 1/

12. Such agreements shall be based on a Model Agreement and shall specify for each facility the number, intensity, duration of inspections, detailed inspection procedures and the installation, operation and maintenance of on-site instruments by the Technical Secretariat. The Model Agreement shall include provisions to take into account future technological developments.

States Parties shall ensure that the systematic international on-site verification can be accomplished by the Technical Secretariat at all facilities within the agreed time frames after the convention enters into force. 2/

Verification Inspections

13. The areas of a facility to be inspected under subsidiary arrangements may, inter alia, include: 3/

1/ Several delegations considered that the model agreement should be elaborated as part of the negotiations on the Convention. A draft for such a model agreement is contained in Appendix II.

2/ Procedures to ensure the implementation of the verification scheme within designated time frames are to be developed.

3/ Opinions were expressed on the need to consider the question of the existence in a facility of excessive capacity for the production of chemicals on Schedule [2].

(i) areas where feed chemicals (reactants) are delivered and/or stored;

(ii) areas where manipulative processes are performed upon the reactants prior to addition to the reaction vessel;

(iii) feed lines as appropriate from subparagraph (i) and/or subparagraph (ii) to the reaction vessel, together with any associated valves, flow meters, etc.;

(iv) the external aspect of the reaction vessel and its ancillary equipment;

(v) lines from the reaction vessel leading to long- or short-term storage or for further processing of the designated chemical;

(vi) control equipment associated with any of the items under subparagraphs (i) to (v);

(vii) equipment and areas for waste and effluent handling;

(viii) equipment and areas for disposition of off-specification chemicals.

14. (a) The Technical Secretariat shall notify the State Party of its decision to inspect or visit the facility [48] [12] hours prior to the planned arrival of the inspection team at the facility for systematic inspections or visits. In the event of inspections or visits to resolve urgent problems, this period may be shortened. The Technical Secretariat shall specify the purpose(s) of the inspection or visit.

(b) A State Party shall make any necessary preparations for the arrival of the Inspectors and shall ensure their expeditious transportation from their point of entry on the territory of the State Party to the facility. The agreement on subsidiary arrangements will specify administrative arrangements for Inspectors.

(c) International Inspectors shall, in accordance with agreements on subsidiary arrangements:

- have unimpeded access to all areas that have been agreed for inspection. While conducting their activity, Inspectors shall comply with the safety regulations at the facility. The items to be inspected will be chosen by the Inspectors;

- bring with them and use such agreed instruments as may be necessary for the completion of their tasks;

- receive samples taken at their request at the facility. Such samples will be taken by representatives of the State Party in the presence of the Inspectors;

- perform on-site analysis of samples;

- transfer, if necessary, samples for analysis off-site at a laboratory designated by the Technical Secretariat, in accordance with agreed procedures; 1/

- afford the opportunity to the Host State Party to be present when samples are analysed; 1/

- ensure, in accordance with procedures (to be developed), that samples transported, stored and processed are not tampered with; 1/

- communicate freely with the Technical Secretariat.

(d) The State Party receiving the inspection shall, in accordance with agreed procedures:

- have the right to accompany the International Inspectors at all times during the inspection and observe all their verification activities at the facility;

- have the right to retain duplicates of all samples taken and be present when samples are analysed;

- have the right to inspect any instrument used or installed by the International Inspectors and to have it tested in the presence of its personnel;

- provide assistance to the International Inspectors, upon their request, for the installation of the monitoring system and the analysis of samples on-site;

- receive copies of the reports on inspections of its facility(ies);

- receive copies, at its request, of the information and data gathered about its facility(ies) by the Technical Secretariat.

15. The Technical Secretariat may retain at each site a sealed container for photographs, plans and other information that it may wish to refer to in the course of subsequent inspection.

Submission of Inspectors' Report

16. After each inspection or visit to the facility, International Inspectors *shall submit a report with their findings* to the (Director-General of the) Technical Secretariat which will transmit a copy of this report to the State Party having received the inspection or visit. Information received during the inspection shall be treated as confidential (procedures to be developed).

17. The International Inspectors may request clarification of any ambiguities arising from the inspection. In the event that any ambiguities arise which cannot be resolved in the course of the inspection, the Inspectors shall inform the (Director-General of the) Technical Secretariat immediately.

1/ The view was expressed that all questions related to analysis off-site required further discussion.

ANNEX TO ARTICLE VI [2]
SCHEDULE [2]

PROVISIONAL LIST

1.	Chemicals containing one P-methyl, P-ethyl, or P-propyl (normal or iso) bond	
2.	N,N-Dialkylphosphoramidic dihalides	
3.	Dialkyl N,N-dialkylphosphoramidates	
4.	Arsenic trichloride	(7784-34-1)
5.	2,2-Diphenyl-2-hydroxyacetic acid	(76-93-7)
6.	Quinuclidin-3-ol	(1619-34-7)
7.	N,N-Diisopropylaminoethyl-2-chloride	(96-79-7)
8.	N,N-Diisopropylaminoethan-2-ol	(96-80-0)
9.	N,N-Diisopropylaminoethane-2-thiol	(5842-07-9)

TO BE DISCUSSED FURTHER

(1) The following compounds:

Bis(2-hydroxyethyl)sulphide (thiodiglycol)

3,3-Dimethylbutan-2-ol (pinacolyl alcohol)

(2) Expanded groups for compounds 5, 6, 7, 8 and 9, as follows:

(No. 5): 2-phenyl-2-(phenyl, cyclohexyl, cyclopentyl or cyclobutyl)-2-hydroxyacetic acids and their methyl, ethyl, n-propyl and iso-propyl esters

(No. 6): 3- or 4-hydroxypiperidine and their [derivatives] and [analogs]

(Nos. 7,8,9): N,N-Disubstituted aminoethyl-2-halides
N,N-Disubstituted aminoethan-2-ols
N,N-Disubstituted aminoethane-2-thiols

ANNEX TO ARTICLE VI [3]

Chemicals which are produced in large commercial quantities and which could be used for chemical weapons purposes

DECLARATIONS

1. The Initial and Annual Declarations to be provided by a State Party under paragraph 4 of Article VI shall include the following information for each of the chemicals listed in Schedule [3]:

(i) The chemicals name, common or trade name used by the facility, structural formula and Chemical Abstracts Service Registry Number.

(ii) The total amount produced, consumed, imported and exported in the previous calendar year. 1/

(iii) The final product or end use of the chemical in accordance with the following categories (to be developed).

(iv) For each facility which during the previous calendar year produced, processed, consumed or transferred more than [30] tonnes of a chemical listed in Schedule [3] or which produced 2/ at any time since ... a chemical in Schedule [3] for chemical weapons purposes: 3/ 4/

(a) The name of the facility and of the owner, company, or enterprise operating the facility.

(b) The location of the facility.

1/ Whether the total amount is to be expressed as an exact figure or within a range is to be discussed.

2/ A view was expressed that the question of a quantitative threshold would need to be discussed in this context.

3/ The placement in the Convention of the obligation to declare facilities which produced a chemical in Schedule [3] for chemical weapons purposes needs further consideration. A view was expressed that this obligation should be included in the Annex to Article V.

4/ It was proposed that a threshold for the dual purpose agents (Phosgene, Cyanogen chloride, Hydrogen cyanide, Chloropicrin) could be established at [50 tonnes/year] [500 tonnes/year] and for precursors at [5 tonnes/year] [50 tonnes/year]. The proposal was presented in an informal discussion paper dated 30 March 1987, prepared on the request of the Chairman of the Committee, by Dr. Peroni (Brazil), Lt. Col. Bretfeld (German Democratic Republic) and Dr. Ooms (Netherlands).

(c) The capacity (to be defined) 1/ of the facility.

(d) The approximate amount of production and consumption of the chemical in the previous year (ranges to be specified).

2. A State Party shall notify the Technical Secretariat of the name and location of any facility which intends, in the year following submission of the Annual Declaration, to produce, process or consume any of the chemicals listed in Schedule [3] (on an industrial scale - to be defined).

VERIFICATION

The verification régime for chemicals listed in Schedule [3] will comprise both the provision of data by a State Party to the Technical Secretariat and the monitoring of that data by the Technical Secretariat. 2/

1/ Some consultations with technical experts have taken place on this issue. A report on these consultations is enclosed in Appendix II to facilitate further work by delegations.

2/ Some delegations consider that provision should be made for resort to an on-site "spot-check" inspection, if required, to verify information supplied by a State Party. Other delegations believe that the provisions of Articles VII, VIII and IX of the Convention are sufficient in this respect.

ANNEX TO ARTICLE VI [3]
SCHEDULE [3]

Phosgene	(75-44-5)
Cyanogen chloride	(506-77-4)
Hydrogen cyanide	(74-90-8)
Trichloronitromethane (chloropicrin)	(76-06-2)
Phosphorus oxychloride	(10025-87-3)
Phosphorus trichloride	(7719-12-2)
Di- and Trimethyl/Ethyl Esters of Phosphorus [P III] Acid:	
Trimethyl phosphite	(121-45-9)
Triethyl phosphite	(122-52-1)
Dimethyl phosphite	(868-85-9)
Diethyl phosphite	(762-04-9)
Sulphur monochloride	(19925-67-9)
Sulphur dichloride	(19545-99-0)

ANNEX TO ARTICLE VI [...] 1/

Production of super-toxic lethal chemicals not listed in Schedule [1]

The provisions of this Annex cover:

- chemicals with an LD_{50} equal to or less than 0.5 mg per kg bodyweight 2/ or an LCt_{50} equal to or less than 2,000 mg-min/m^3;

- facilities which:

  (a) produce or process more than [10] [100] [1,000] kg 3/ per annum 4/ of any such chemical; 5/

  [(b) have a production capacity 6/ for any such chemical exceeding 1,000 kg 7/ per annum 8/].

1/ Some delegations consider that the chemicals in this Annex should be dealt with in the Annex to Article VI [2] Schedule [2]. Other delegations consider that a separate Annex [4] is required.

2/ It is understood that further discussion is needed with regard to chemicals with a somewhat lower toxicity. In this context various ideas were put forward, i.a.:

- that chemicals falling within a deviation-range of 10-20 per cent could be considered;

- that chemicals with an LD_{50} close to 0.5 mg/kg bodyweight could be included as exceptions;

- that the modalities for revisions of lists could be made use of to take care of possible concerns in this regard.

3/ Some delegations felt that the thresholds for production and production capacity should correspond to militarily significant quantities.

4/ The question of production or processing not occurring annually requires further discussion.

5/ Some delegations expressed the view that additional criteria of suitability for chemical weapons purposes should be added.

6/ How to define production capacity remains to be agreed upon. In this context reference was made to the proposal contained in CD/CW/WP.171, as well as the report contained in Appendix II to this document.

7/ It is understood that the quantitative value of the threshold for production capacity remains to be discussed.

8/ One delegation expressed the view that the question of production capacities should be considered in accordance with the relevant provisions in the Annex to Article VI, Schedules [2] and [3] (cf. CD/CW/WP.167, pp. 62, 68).

DECLARATIONS 1/

The Initial and Annual Declarations to be provided by a State Party under Article VI shall include:

1. Aggregate national data on the production or processing of each chemical [listed in] [covered by] this Annex, 2/ and on the export and import of the chemicals in the previous calendar year with an indication of the countries involved.

2. The following information for each facility which, during the previous calendar year, produced or processed more than [10] [100] [1,000] kg 3/ of any chemical [listed in] [covered by] this Annex.

Chemical(s)

(i) The chemical name, common or trade name used by the facility, structural formula, and Chemical Abstracts Service Registry Number (if assigned);

(ii) The total amount produced, processed, imported and exported in the previous calendar year; 4/ 5/

(iii) The purpose(s) for which the chemical(s) are produced or processed:

(a) conversion on-site (specify product type);

(b) sale or transfer to other domestic industry (specify final product type);

(c) export of a chemical (specify which country).

Facility

(i) The name of the facility and of the owner, company, or enterprise operating the facility;

1/ The information to be reported on chemicals will depend largely on what aims are eventually agreed for verification under paragraph 4 of this Annex.

2/ A proposal for a list of chemicals, to be included in the Convention under this category, is contained in CD/792.

3/ Some delegations felt that the thresholds for production and production capacity should correspond to militarily significant quantities.

4/ Whether the total amount is to be expressed as an exact figure or within a range is to be discussed.

5/ One delegation expressed the view that aggregate national data on the production of any such chemical should also be provided.

(ii) The exact location of the facility (including the address, location of the complex, location of the facility within the complex including the specific building and structure number, if any);

(iii) Whether the facility is dedicated to producing or processing the declared chemical or is multi-purpose;

(iv) The main orientation (purpose) of the facility;

[(v) Whether the facility can readily be used to produce a Schedule [1] chemical. Relevant information should be provided, when applicable.];

(vi) The production capacity for the declared chemical(s); 1/

(vii) Which of the following activities are performed with regard to chemicals;

(a) production;

(b) processing with conversion into another chemical;

(c) processing without chemical conversion;

(d) other - specify;

(viii) Whether at any time during the previous calendar year declared chemicals were stored on-site in quantities greater than [ ] [tonnes].

Advance notifications

3. (a) Each State Party shall annually notify the Technical Secretariat of facilities which anticipate, during the coming calendar year, to produce or process more than ... of any chemical [listed in] [covered by] this Annex. The notification shall be submitted not later than ... months before the beginning of that year and shall for each facility include the following information:

(i) The information specified under paragraph 2 above, except for quantitative information relating to the previous calendar year;

(ii) For each chemical, the total quantity anticipated to be produced or processed during the coming calendar year and the time period(s) when the production or processing is anticipated to take place.

(b) Each State Party shall notify the Technical Secretariat of any production, processing planned after the submission of the annual notification under paragraph 3 (a), not later than one month before the production or processing is anticipated to begin. The notification shall for each facility include the information specified under paragraph 3 (a).

1/ How to define production capacity remains to be agreed upon.

VERIFICATION 1/

Aim 2/

4. The aim of the measures stipulated in Article VI, paragraph 6, shall be to verify that:

(i) Facilities declared under this Annex are not used to produce any chemical listed in Schedule [1];

(ii) The quantities of declared chemicals produced or processed are consistent with needs for purposes not prohibited by the Chemical Weapons Convention;

(iii) The declared chemicals are not diverted or used for purposes prohibited by the Chemical Weapons Convention.

Obligation and frequency

5. (i) Each facility notified to the Technical Secretariat shall be liable to receive an initial visit from International Inspectors, promptly after the State becomes a Party to the Convention.

(ii) The purpose of the initial visit shall be to verify information provided concerning the facility to be inspected and to obtain any additional information, [including on the capacity of the facility, needed for planning] [to determine whether systematic on-site verification on a routine basis is necessary, and, if so, to plan] future verification activities at the facility, including inspection visits and use of on-site instruments.

(iii) Each facility notified to the Technical Secretariat under this Annex shall be subject to systematic international on-site verification on a routine basis.

(iv) The number, intensity, duration, timing and mode of inspections and monitoring with on-site instruments for a particular facility shall be based on the risk to the objectives of the Convention posed by the relevant chemical, the characteristics of the facility including its capacity and the nature of the activities carried out there. 3/ The guidelines to be used shall include: (to be developed).

1/ Some of the provisions contained in this section have general application throughout the Convention. It is understood that the retention of these will be reviewed at a later stage in the negotiations.

2/ This aim requires further consideration. Some delegations have raised in this context the issue of suitability for chemical weapons purposes.

3/ One delegation suggested that the number of such inspections might be one to three per year.

Selection

6. The particular facility to be inspected shall be chosen by the Technical Secretariat in such a way to preclude the prediction of precisely when the facility is to be inspected.

Host State Party

7. The Host State Party shall have the right to designate personnel to accompany an international inspection team. The exercise of this right shall not affect the right of Inspectors to obtain access to the facility, as provided by the Convention, nor shall it delay or otherwise impede the carrying out of the inspection.

Agreement on Inspection Procedures

8. Each State Party shall execute an agreement, based on a model agreement, with the Organization within [6] months after the Convention enters into force for the State, governing the conduct of the inspections of [the facilities declared by the State Party] [those facilities which are determined by the Technical Secretariat on the basis of the initial visit of International Inspectors to warrant systematic international on-site verification on a routine basis]. The agreement shall provide for the detailed subsidiary arrangements which shall govern inspections at each facility.

9. Such agreements shall be based on a Model Agreement and shall specify for each facility the number, intensity, duration of inspections, detailed inspection procedures and the installation, operation and maintenance of on-site instruments by the Technical Secretariat. The Model Agreement shall include provisions to take into account future technological developments.

States Parties shall ensure that the systematic international on-site verification can be accomplished by the Technical Secretariat at all facilities within the agreeed time frames after the Convention enters into force.

Verification Inspections

10. The areas of a facility to be inspected under subsidiary arrangements, may, inter alia, include:

(i) Areas where feed chemicals (reactants) are delivered and/or stored;

(ii) Areas where manipulative processes are performed upon the reactants prior to addition to the reaction vessel;

(iii) Feed lines as appropriate from subparagraph (i) and/or subparagraph (ii) to the reaction vessel, together with any associated valves, flow meters;

(iv) The external aspect of the reaction vessel and its ancillary equipment;

(v) Lines from the reaction vessel leading to long- or short-term storage or for further processing of the designated chemical;

(vi) Control equipment associated with any of the items under subparagraphs (i) to (v);

(vii) Equipment and areas for waste and effluent handling;

(viii) Equipment and areas for disposition of off-specification chemicals.

11. (a) The Technical Secretariat shall notify the State Party of its decision to inspect or visit the facility [48] [12] hours prior to the planned arrival of the inspection team at the facility for systematic inspections or visits.

(b) A State Party shall make any necessary preparations for the arrival of the Inspectors and shall ensure their expeditious transportation from their point of entry on the territory of the State Party to the facility. The agreement on subsidiary arrangements will specify administrative arrangements for Inspectors.

(c) International Inspectors shall, in accordance with agreements on subsidiary arrangement:

- have unimpeded access to all areas that have been agreed for inspection. While conducting their activity, Inspectors shall comply with the safety regulations at the facility. The items to be inspected will be chosen by the Inspectors;

- bring with them and use such agreed instruments as may be necessary for the completion of their tasks;

- receive samples taken at their request at the facility. Such samples will be taken by representatives of the State Party in the presence of the Inspectors;

- perform on-site analysis of samples;

- transfer, if necessary, samples for analysis off-site at a laboratory designated by the Technical Secretariat, in accordance with agreed procedures;

- afford the opportunity to the Host State Party to be present when samples are analysed;

- ensure, in accordance with procedures (to be developed), that samples transported, stored and processed are not tampered with;

- communicate freely with the Technical Secretariat.

(d) The State Party receiving the inspection shall, in accordance with agreed procedures:

- have the right to accompany the International Inspectors at all times during the inspection and observe all their verification activities at facility;

- have the right to retain duplicates of all samples taken and be present when samples are analysed;

- have the right to inspect any instrument used or installed by the International Inspectors and to have it tested in the presence of its personnel;

- provide assistance to the International Inspectors, upon their request, for the installation of the monitoring system and the analysis of samples on-site;

- receive copies of the reports on inspections of its facility(ies);

- receive copies, at its request, of the information and data gathered about its facility(ies) by the Technical Secretariat.

12. The Technical Secretariat may retain at each site a sealed container for photographs, plans and other information that it may wish to refer to in the course of subsequent inspection.

Submission of Inspectors' Report

13. After each inspection or visit to the facility, International Inspectors shall submit a report with their findings to the (Director-General of the) Technical Secretariat which will transmit a copy of this report to the State Party having received the inspection or visit. Information received during the inspection shall be treated as confidential (procedures to be developed).

14. The International Inspectors may request clarification of any ambiguities arising from the inspection. In the event that any ambiguities arise which cannot be resolved in the course of the inspection, the Inspectors shall inform the (Director-General of the) Technical Secretariat immediately.

OTHER DOCUMENTS

I.

Preparatory Commission 1/

1. For the purpose of carrying out the necessary preparations for the effective operation of the provisions of the Convention and for preparing for the 1st meeting of the Consultative Committee, the Depository of the Convention shall convene a Preparatory Commission not later than [30] days after the Convention has been signed by (to be determined) States.

2. The Commission shall consist of the representatives designated by the States which have signed the Convention.

3. The Commission shall be convened at [...] and remain in existence until the Convention comes into force and thereafter until the Consultative Committee has convened.

4. The expenses of the Commission shall be met by the States signatories to the Convention, participating in the Commission, [in accordance with the United Nations scale of assessment, adjusted to take into account differences between the United Nations membership and the participation of States signatories in the Commission].

5. All decisions of the Commission shall be made by [consensus] [a two-thirds majority].

6. The Commission shall

(a) elect its own officers, adopt its own rules of procedures, meet as often as necessary and establish such committees as it deems useful;

(b) appoint an executive secretary and establish a provisional technical secretariat with units in charge of preparatory work concerning the main activities to be carried out by the Technical Secretariat created under the Convention: declarations and data; inspectorate; evaluation of accounts and reports; agreements and negotiations; personnel, qualifications and training; development of procedures and instruments; technical support; finance and administration;

(c) make arrangements for the first session of the Consultative Committee, including the preparation of an agenda and draft rules of procedure;

1/ Provisions on the Commission could be contained in a resolution of the United Nations General Assembly commending the Convention or in an appropriate document associated with the Convention.

(d) make studies, reports and recommendations for the first session of the Consultative Committee and the 1st meeting of the Executive Council on subjects requiring immediate attention after the entry into force of the Convention, including the programme of work and the budget for the first year of activities of the Consultative Committee, the location of the permanent offices of the Organization, technical problems relevant to activities connected with the implementation of the Convention, establishment of the Technical Secretariat and of its staff and financial regulations.

7. The Commission shall report on its activities to the 1st meeting of the Consultative Committee.

II.

PROCEDURES FOR TOXICITY DETERMINATIONS 1/

In March 1982 consultations were held, involving 32 experts from 25 countries, i.a. on toxicity determination.

As a result of the discussions, the participants in the consultations unanimously agreed to recommend standardized operating procedures for acute subcutaneous toxicity determinations and for acute inhalation toxicity determinations. These unanimously agreed recommendations were submitted as Annexes III and IV to document CD/CW/WP.30.

It is understood that further work may be needed to take into account technical developments since 1982. In order to facilitate this work Annexes III and IV to CD/CW/WP.30 are reproduced below.

Recommended standardized operating procedures for acute subcutaneous toxicity determinations

1. Introduction

Three categories of agents were defined on the basis of their toxicity:

(i) super-toxic lethal chemicals;

(ii) other lethal chemicals;

(iii) other harmful chemicals.

Lethality limits in terms of LD_{50} for subcutaneous administration were established to separate three toxic categories at 0.5 mg/kg and 10 mg/kg.

2. Principles of the test method

The test substance is administered to a group of animals in doses corresponding exactly to the category limits (0.5 or 10 mg/kg respectively). If in an actual test the death rate was greater than 50 per cent, then the material would fall into the higher toxicity category; if it was lower than 50 per cent the material would fall into the lower toxicity category.

3. Description of the test procedure

3.1 Experimental animal Healthy young adult male albino rats of Wistar strain weighing 200 $\pm$ 20 g should be used. The animals should be acclimatized to the laboratory conditions for at least five days prior to the test. The

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1/ It was understood that these recommended standardized operating procedures for toxicity determinations might be supplemented or modified and/or, if necessary, reviewed.

temperature of the animal room before and during the test should be 22 ± 3°C and the relative humidity should be 50-70 per cent. With artificial lighting, the sequence should be 12 hours light, 12 hours dark. Conventional laboratory diets may be used for feeding with an unlimited supply of drinking water. The animals should be group-caged but the number of animals per cage should not interfere with proper observation of each animal. Prior to the test, the animals are randomized and divided into groups; 20 animals in each group.

3.2 Test substance Each test substance should be appropriately identified (chemical composition, origin, batch number, purity, solubility, stability, etc.) and stored under conditions ensuring its stability. The stability of the substance under the test conditions should also be known. A solution of the test substance should be prepared just before the test. Solutions with concentrations of 0.5 mg/ml and 10 mg/ml should be prepared. The preferable solvent is 0.85 per cent saline. Where the solubility of the test substance is a problem, a minimum amount of an organic solvent such as ethanol, propylene glycol or polyethylene glycol may be used to achieve solution.

3.3 Test method Twenty animals receive in the back region 1 ml/kg of the solution containing 0.5 mg/ml of the test substance. The number of dead animals is determined within 48 hours and again after 7 days. If the death rate is lower than 10 animals, another group of 20 animals should be injected by the same way with 1 ml/kg of the solution containing 10 mg/ml of the test substance. The number of dead animals should be determined within 48 hours and again after 7 days. If the result is doubtful (e.g. death rate = 10), the test should be repeated.

3.4 Evaluation of the results If the death rate in the first group of animals (receiving a solution containing 0.5 mg/ml) is equal to or higher than 50 per cent, the test substance will fall into the "super-toxic lethal chemical" category. If the death rate in the second group (receiving a solution containing 10 mg/ml) is equal to or higher than 50 per cent, the test substance will fall into the "other lethal chemical" category; if lower than 50 per cent, the test substance will fall into the "other harmful chemical".

4. Data reporting

A test report should include the following information:

(i) test conditions: date and hour of the test, air temperature and humidity;

(ii) animal data: strain, weight and origin of the animals;

(iii) test substance characterization: chemical composition, origin, batch number and purity (or impurities) of the substance; date of receipt, quantities received and used in the test; conditions of storage, solvent used in the test;

(iv) results: the number of dead animals in each group, evaluation of results.

Recommended standardized operating procedures for acute inhalation toxicity criteria

1. In the assessment and evaluation of the toxic characteristics of chemicals in a vapour or aerosol state determination of acute inhalation toxicity is necessary. In every case, when it is possible, this test should be preceded by subcutaneous toxicity determination. Data from these studies constitute the initial steps in the establishing of a dosage regimen in subchronic and other studies and may provide additional information on the mode of toxic action of a substance.

Three categories of agents were defined on the basis of their toxicity:

(i) super-toxic lethal chemicals;

(ii) other lethal chemicals;

(iii) other harmful chemicals.

Lethality limits in terms of LCt_{50} for inhalatory application were established to separate three toxic categories at 2,000 mg min/m^3 and 20,000 mg min/m^3.

2. Principles of the test method

A group of animals is exposed for a defined period to the test substance in concentration corresponding exactly to the category limits (2,000 mg min/m^3 or 20,000 mg min/m^3) respectively. If in an actual test the death rate was greater than 50 per cent, then the material would fall into the higher toxicity category; if it was lower than 50 per cent, the material would fall into the lower toxicity category.

3. Description of the test procedure

3.1 Experimental animal Healthy young adult male albino rats of Wistar strain weighing 200 $\pm$ 20 g should be used. The animals should be acclimatized to the laboratory conditions for at least five days prior to the test. The temperature of the animal room before and during the test should be 22 $\pm$ 3°C and the relative humidity should be 50-70 per cent. With artificial lighting, the sequence should be 12 hours light, 12 hours dark. Conventional laboratory diets may be used for feeding with an unlimited supply of drinking water. The animals should be group-caged but the number of animals per cage should not interfere with proper observation of each animal. Prior to the test the animals are randomized and divided into two groups; 20 animals in each group.

3.2 Test substance Each test substance should be appropriately identified (chemical composition, origin, batch number, purity, solubility, stability, boiling point, flash point, vapour pressure etc.) and stored under conditions ensuring its stability. The stability of the substance under the test conditions should also be known.

3.3 Equipment A constant vapour concentration may be produced by one of several methods:

(i) by means of an automatic syringe which drops the material on to a suitable heating system (e.g. hot plate);

(ii) by sending airsteam through a solution containing the material (e.g. bubbling chamber);

(iii) by diffusion of the agent through a suitable material (e.g. diffusion chamber).

A dynamic inhalation system with a suitable analytical concentration control system should be used. The rate of air flow should be adjusted to ensure that conditions throughout the equipment are essentially the same. Both a whole body individual chamber exposure or head only exposure may be used.

3.4 Physical measurements Measurements or monitoring should be conducted of the following parameters:

(i) the rate of air flow (preferably continuously);

(ii) the actual concentration of the test substance during the exposed period;

(iii) temperature and humidity.

3.5 Test method Twenty animals are exposed for 10 minutes to the concentration of 200 mg/m^3 and then removed from the chamber. The number of dead animals is determined within 48 hours and again after 7 days. If the death rate is lower than 10 animals, another group of 20 animals should be exposed for 10 minutes to the concentration of 2,000 mg/m^3. The number of dead animals should be determined within 48 hours and again after 7 days. If the result is doubtful (e.g. death rate = 10), the test should be repeated.

3.6 Evaluation of results If the death rate in the first group of animals (exposed to the concentration of 200 mg/m^3) is equal to or higher than 50 per cent, the test substance will fall into the "super-toxic lethal chemical" category. If the death rate in the second group (exposed to the concentration of 2,000 mg/m^3) is equal to or higher than 50 per cent, the test substance will fall into the "other lethal chemical" category; if it is lower than 50 per cent, the test substance will fall into the "other harmful chemical".

4. Data reporting

A test report should include the following information:

(i) Test conditions: date and hour of the test, description of exposure chamber (type, dimensions, source of air, system for generating the test substance, method of conditioning air, treatment of exhaust air etc.) and equipment for measuring temperature, humidity, air flow and concentration of the test substance;

(ii) Exposure data: air flow rate, temperature and humidity of air, nominal concentration (total amount of test substance fed into the equipment divided by volume of air), actual concentration in test breathing zone;

(iii) Animal data: strain, weight and origin of animals;

(iv) Test substance characterization: chemical composition, origin, batch number and purity (or impurities) of the substance; boiling point, flash point, vapour pressure; date of receipt, quantities received and used in the test; condition of storage, solvent used in the test;

(v) Results: number of dead animals in each group, evaluation of results.

ADDENDUM TO APPENDIX I

GUIDELINES ON THE INTERNATIONAL INSPECTORATE 1/

This document consists of Sections I-III which reproduce Attachment (A) of the Report of the Co-ordinator for Cluster IV (CD/CW/WP.175) for the 1987 session and Section IV which represents the work in Group C during the 1988 session.

I. Designation

1. Verification activities in a State Party to the Convention shall only be performed by Inspectors designated to this State in advance.

2. The Technical Secretariat shall communicate, in writing, to the State concerned the names, nationality and ranks of the Inspectors proposed for designation. Furthermore, it shall furnish a certificate of their qualifications and enter into such consultations as the State concerned may request. The latter shall inform the Secretariat, within (30) days after receipt of such a proposal, whether or not it will accept the designation of each Inspector proposed. The Inspectors accepted by the State Party shall be designated to that State. The Technical Secretariat shall notify the State concerned of such a designation.

3. Should any State Party object to the designation of inspectors, be it at the time they are proposed or at any time thereafter, it shall inform the Technical Secretariat of its objection. If a State Party raises objections to an Inspector already designated, this objection shall come into effect 30 days after receipt by the Technical Secretariat. The Technical Secretariat shall immediately inform the State concerned of the withdrawal of the designation of the inspector. In cases of objections to designation of Inspectors the Technical Secretariat shall propose to the State Party in question one or more alternative designations. The Technical Secretariat shall refer to the Executive Council any repeated refusal by a State Party to accept the designation of Inspectors if the Secretariat is of the opinion that such refusal impedes inspections to be conducted in the State concerned.

II. Privileges and immunities of Inspectors

1. To the extent necessary for the effective exercise of their functions, Inspectors shall be accorded the following privileges and immunities, which shall also apply to the time spent travelling in connection with their missions:

(a) immunity from personal arrest or detention and from seizure of their personal baggage;

(b) immunity from legal process of every kind in regard to what they do, say or write in the performance of their official functions;

1/ The texts contained in this document require further consideration and elaboration.

(c) inviolability of all the papers, documents, equipment and samples they carry with them;

(d) the right to use codes for their communication with the Secretariat and to receive papers or correspondence by courier or in sealed bags from the Secretariat;

(e) multiple entry/exit and/or transit visas and the same treatment in entry and transit formalities as is given to members of comparable rank of diplomatic missions;

(f) the same currency and exchange facilities as are accorded to representatives of foreign Governments on temporary official missions;

(g) the same immunities and facilities in respect to their personal baggage as are accorded to members of comparable rank of diplomatic missions.

2. Privileges and immunities shall be granted to Inspectors for the sake of the Convention and not for the personal benefit of the individuals themselves. The Secretariat shall have the right and the duty to waive the immunity of any Inspector whenever it is of the opinion that the immunity would impede the course of justice and can be waived without prejudice to the Convention.

3. If any State Party to the Convention considers that there has been an abuse of an above-mentioned privilege or immunity, consultations shall be held between that State and the Secretariat to determine whether such an abuse has occurred and, if so, to ensure that it does not repeat itself.

III. General rules governing inspections and the conduct of Inspectors

1. Inspectors shall carry out their functions under the Convention on the basis of the inspection mandate issued by the Technical Secretariat. They shall refrain from activities going beyond this mandate.

2. The activities of Inspectors shall be so arranged as to ensure on the one hand the effective discharge of the Inspectors' functions and, on the other, the least possible inconvenience to the State concerned and disturbance to the facility or other location inspected. Inspectors shall only request the information and data which are necessary to fulfil their mandate. States Parties shall furnish such information. Inspectors shall not communicate to any State, Organization or person outside the Technical Secretariat any information to which they have access in connection with their activities in a State Party. They shall abide by relevant regulations established within the Technical Secretariat for the protection of confidential information. They shall remain bound by these relevant regulations after they have left their functions as International Inspectors.

3. In the performance of their duties on the territory of a State Party, Inspectors shall, if the State Party so requests, be accompanied by representatives of this State, provided Inspectors are not thereby delayed or otherwise hindered in the exercise of their functions. If a State Party designates the Inspectors' point of entry into, and departure from, the State

concerned and their routes and modes of travel within the State, it shall be guided by the principle of minimizing the time of travel and any other inconvenience.

4. In exercising their functions, Inspectors shall avoid unnecessarily hampering or delaying the operation of a facility or affecting its safety. In particular, Inspectors shall not operate any facility or direct the staff of the facility to perform any operation. If Inspectors consider that, to fulfil their mandate, particular operations should be carried out in a facility, they shall request the designated representative of the management of the facility to perform them.

5. After the inspection visit, Inspectors shall submit to the Technical Secretariat a report on the activities conducted by them and on their findings. The report shall be factual in nature. It shall only contain facts relevant to compliance with the Convention, as provided for under the inspection mandate. Relevant regulations, governing the protection of confidential information, shall be observed. The report shall also provide information as to the manner in which the State Party inspected co-operated with the inspection team. Different views held by Inspectors may be attached to the report.

6. The report shall be kept confidential. The National Authority of the State Party shall be informed of the findings of the report. Any written comments, which the State Party may immediately make on these findings shall be annexed to it. Immediately after receiving the report, the Technical Secretariat shall transmit a copy of it to the State Party concerned.

7. Should the report contain uncertainties, or should co-operation between the National Authority and the Inspectors not measure up to the standard required, the Technical Secretariat shall approach the State Party for clarification.

8. If the uncertainties cannot be removed or the facts established are of a nature to suggest that obligations undertaken under the Convention have not been met, the Technical Secretariat shall inform the Executive Council without delay.

IV. General rules governing inspections under article IX

1. For inspections under article IX, the guidelines set out in sections II and III shall apply, as appropriate, unless otherwise provided for the following.

2. (a) (i) Inspections under article IX shall only be performed by Inspectors especially designated for this function. In order to designate Inspectors for inspections under article IX, the Director-General shall, by selecting Inspectors from among the full-time Inspectors for routine inspection activities, establish a list of proposed inspectors. It shall comprise a sufficiently large pool of International Inspectors having the necessary qualification, experience, skill and training, to allow for rotation and availability of Inspectors.

(ii) The Director-General shall communicate to all States Parties the list of proposed Inspectors with their names, nationality and other relevant details. [Any Inspector included in this list shall be presumed accepted by States Parties as from 30 days after acknowledgement of receipt of the list. A State Party may indicate the ineligibility of an Inspector proposed or already designated for inspection of its facilities only in cases affecting its national interest.] 1/ [Any Inspector included in this list shall be regarded as accepted unless a State Party, within 30 days after acknowledgement of receipt of the list or at any time thereafter, declares its non-acceptance. In the case of non-acceptance, the proposed Inspector shall not be eligible for facilities of the State Party which has declared his non-acceptance.] 1/ The Director-General shall, as necessary, submit further proposals in addition to the original list of proposed inspectors. 2/

(iii) If, in the opinion of the Director-General [the cases of ineligibility] [the non-acceptance] of proposed Inspectors impede the designation of a sufficient number of Inspectors or otherwise hamper the effective fulfilment of the task of the International Inspectorate relating to inspections to be carried out under article IX, the Director-General shall refer them to the Executive Council.

(b) The Director-General shall establish a list of experts who may be called upon to complement the Inspectors designated under subparagraph (a) above for those types of inspection which require highly specialized skills. Paragraphs I 1, 2 and 3 and subparagraph 2 (a) (ii) and (iii) above shall apply to this list. 2/ 3/

Should there be circumstances requiring the service of experts not included in the above list, the Director-General may dispatch such experts to complement the team of Inspectors only with the consent of the requested State. 4/

1/ A view was expressed that measures against arbitrary handling of the right to refuse Inspectors needs to be considered.

2/ In order to ensure that the process of designation of Inspectors, experts and supporting staff as well as of points of entry (and departure) function smoothly as from the date of entry into force of the Convention, the idea of the signatories indicating advance acceptance on the basis of a preliminary list drawn up by the Preparatory Commission should be considered.

3/ A view was expressed that the list of the experts and supporting staff should be kept to a minimum.

4/ This provision needs to be discussed further.

These experts shall be bound by the same obligations as provided for in article VIII.D.6 as well as in these guidelines.

(c) In order to assist the Inspectors in carrying out inspections under article IX, a list of supporting staff with special skills or training such as interpreters 1/ 2/ and security personnel shall be drawn up by the Director-General. 3/ 4/ Paragraphs I 1, 2 and 3 and subparagraph 2 (a) (ii) and (iii) above shall apply to this list.

(d) Whenever amendments to the above-mentioned lists of Inspectors, experts and supporting staff are necessary, new Inspectors, experts and supporting staff shall be designated in the same manner as set forth with respect to the initial list.

(e) Each State Party shall, within 30 days of the receipt of the list of designated Inspectors, experts and supporting staff, provide for or ensure the provision of visas and other such documents which each Inspector, expert or each member of the supporting staff may need to enter and to remain on the territory of the State Party 5/ for the purpose of carrying out inspection activities under article IX. These documents shall have a validity of at least 24 months.

1/ The Technical Secretariat should make arrangements for interpreters for national languages of States Parties, to the extent possible, to facilitate inspections.

2/ A view was expressed that consideration should be given to include provision in the Convention for the selection by States Parties of what languages of the Convention they will operate in for the conduct of inspections and submission of reports to the Technical Secretariat.

3/ In order to ensure that the process of designation of Inspectors, experts and supporting staff as well as of points of entry (and departure) function smoothly as from the date of entry into force of the Convention, the idea of the signatories indicating advance acceptance on the basis of a preliminary list drawn up by the Preparatory Commission should be considered.

4/ A view was expressed that the list of the experts and supporting staff should be kept to a minimum.

5/ In cases where the facilities of a State Party subject to inspection are located in the territory of another State or where the access from the point of entry to the facilities subject to inspection requires transit through the territory of another State, consideration will need to be given to the arrangements to be worked out concerning the rights and obligations under these guidelines between a State Party and the State in which the State Party's facilities subject to inspection are located or the State through which the inspection team has to transit.

3. Each State Party shall designate the points of entry into (and departure from) its territory 1/ and shall supply the required information to the Technical Secretariat not later than 30 days after the Convention enters into force. 2/ These points of entry shall be such that the inspection team can reach any inspection site from at least one point of entry within the time frames set forth in ...

Each State Party may change the points of entry (and departure) by giving notice of such change to the Technical Secretariat, which shall become effective upon receipt of the notice, unless the Technical Secretariat considers that the change hampers the timely conduct of inspections and enters into consultation with the State Party to resolve the problem.

4. The Director-General shall select the members of an inspection team. 3/ Each inspection team shall consist of not less than [3] Inspectors and shall be [kept to a minimum necessary for the proper execution of its task] [not more than ... members]. No national of the requesting State Party, the State Party receiving the inspection, or another State Party cited by the requesting State Party as having been involved in the case to be inspected shall be a member of the inspection team.

5. (a) The State Party, which has been notified of the arrival of an inspection team, shall ensure its immediate entry into the territory and shall do everything in its power to ensure the safe conduct of the inspection team and their equipment and supplies, within the prescribed time frames of ... (hours), from their points of entry to the site(s) to be inspected and to their points of departure. 1/ It shall provide or arrange for the facilities necessary for the inspection team such as communication means, interpretation services to the extent necessary for the performance of interviewing and other tasks, transportation, working space, lodging, meals and medical care of the inspection team. The State Party receiving the inspection shall be reimbursed for its expenses by the Organization (Details to be developed).

1/ In cases where the facilities of a State Party subject to inspection are located in the territory of another State or where the access from the point of entry to the facilities subject to inspection requires transit through the territory of another State, consideration will need to be given to the arrangements to be worked out concerning the rights and obligations under these guidelines between a State Party and the State in which the State Party's facilities subject to inspection are located or the State through which the inspection team has to transit.

2/ In order to ensure that the process of designation of Inspectors, experts and supporting staff as well as of points of entry (and departure) function smoothly as from the date of entry into force of the Convention, the idea of the signatories indicating advance acceptance on the basis of a preliminary list drawn up by the Preparatory Commission should be considered.

3/ The detailed procedure for selection need to be addressed later.

(b) The representative(s) of the State Party receiving the inspection shall assist the inspection team in the exercise of its functions. They shall have the right to accompany the inspection team at all times, from the point of entry to the point of departure, provided that the inspection team is not thereby delayed or otherwise hindered in the exercise of its functions.

6. (a) There shall be no restriction by the State Party receiving the inspection on the inspection team bringing on to the inspection site such instruments and devices which the Technical Secretariat has determined to be necessary to fulfill the inspection requirements.

This includes, inter alia, equipment for discovering and preserving evidence related to the compliance with the Convention, equipment for recording 1/ and documenting the inspection, as well as for communication with the Technical Secretariat 2/ and for determining that the inspection team has been brought to the site for which the inspection has been requested. The Technical Secretariat shall to the extent possible, prepare and, as appropriate, update a list of standard equipment which may be needed for the purposes described above and regulations governing such equipment which shall be in accordance with these guidelines. 3/ 4/

(b) The equipment shall be in the property of the Technical Secretariat and be designated and approved by it. The Technical Secretariat shall, to the extent possible, select that equipment which is specifically designed for the specific kind of inspection required. Designated and approved equipment shall be specifically protected against unauthorized alteration.

(c) The State Party receiving the inspection shall have the right, without prejudice to the time frames set forth in Article IX, to inspect the equipment at the point of entry, i.e. to check the identity of the equipment. To facilitate such identification, the Technical Secretariat shall attach documents and devices to authenticate its designation and approval of the equipment. The State Party receiving the inspection may exclude equipment

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1/ The possible use of photographic or imaging equipment requires further consideration.

2/ The issue of communication requires further consideration.

3/ Further consideration needs to be given to when and how such equipment will be agreed upon and to what extent they will need to be specified in the Convention.

4/ The relationship between equipment for routine inspections and challenge inspections and provisions for their respective uses will need to be considered.

without the above-mentioned authentification documents and devices. Such equipment shall be kept at the point of entry until the inspection team leaves the respective country. 1/

(d) In cases where the inspection team finds it necessary to use equipment available on site not belonging to the Technical Secretariat and requests the State Party to enable the team to use such equipment, the State Party receiving the inspection shall comply with the request to the extent it can. 2/

1/ A view was expressed that consideration should be given to the possibility for the State Party receiving the inspection to check, in exceptional circumstances, any piece of equipment to ascertain that its characteristics correspond to the attached documentation.

2/ A view was expressed that the possibility of agreed procedures should be considered in this regard.

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APPENDIX II

PRINCIPLES AND ORDER OF DESTRUCTION OF CHEMICAL WEAPONS 1/

1. The elaboration of the Order of Destruction shall build on the undiminished security for all States during the entire destruction stage, confidence-building in the early part of the destruction stage, gradual acquisition of experience in the course of destroying chemical weapons stocks and applicability irrespective of the actual composition or size of the stockpiles and the methods chosen for the destruction of the chemical weapons.

2. Each State Party possessing chemical weapons shall begin destruction not later than one year after it becomes a Party to the Convention, and all stockpiles must have been destroyed by the end of the tenth year after the entry into force of the Convention. 2/

3. The entire destruction period is divided into annual periods.

4. For the purpose of destruction, chemical weapons declared by each State Party are divided into three categories:

Category 1: Chemical weapons on the basis of Schedule [1] chemicals;

Category 2: Chemical weapons on the basis of all other chemicals;

Category 3: Unfilled munitions and devices, and equipment specifically designed for use directly in connection with employment of chemical weapons.

5. The Order of Destruction shall be based on the principle of levelling out the stockpiles of chemical weapons of State Parties, while observing the principle of [equal] [undiminished] security. (The level of such stockpiles shall be agreed upon.)

6. Each State Party possessing chemical weapons

- shall start the destruction of Category 1 chemical weapons not later than one year after it becomes a Party to the Convention, and shall complete it not later than 10 years after the entry into force of the Convention; the comparison factor for such weapons shall be agent tons, i.e. the aggregate weight of the chemicals within such Category,

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1/ Some delegations drew attention to another proposal which suggests a specific phased approach, including a special phase for advance destruction by the largest chemical weapons owners until midway of the destruction period. This proposal is contained in CD/822 of 29 March 1988.

2/ The view was expressed that possible additional provisions applicable to States possessing chemical weapons but which ratify the Convention at a later stage would need to be discussed. The view was also expressed that the Convention should include from the beginning all States possessing chemical weapons.

- shall start the destruction of Category 2 chemical weapons not later than one year after it becomes a Party to the Convention and shall complete it not later than five years after the entry into force of the Convention; the comparison factor for such weapons shall be agent tons, i.e. the aggregate weight of the chemicals within such Category,

- shall start the destruction of Category 3 chemical weapons not later than one year after it becomes a Party to the Convention, and shall complete it not later than [four] [five] years after the entry into force of the Convention; the comparison factor(s) for unfilled munitions and devices shall be expressed in fill volume (m3) and for equipment in number of items.

7. Within each Category a State Party shall carry out the destruction in such a way that not more than what is specified in the table below remains at the end of each annual period. A State Party is not precluded from destroying its stocks at a faster pace.

TABLE

Year	Category 1	Category 2	Category 3
2			
3			
4			
5			
6	(TO BE DEVELOPED)		
7			
8			
9			
10			

8. Within each category a State Party shall determine its detailed plans for each annual period in such a way that not more than what is specified in the Convention will remain by the end of each such period.

These plans shall be submitted to and approved by the Executive Council, in accordance with the relevant provisions in Section V of the Annex to Article IV.

9. Each State Party shall report annually to the Organization on the implementation of the destruction in each annual period.

GUIDELINES FOR SCHEDULE [1] 1/

The following guidelines, singly or in combination, should be taken into account in considering whether a chemical should be included in Schedule [1]:

1. Super-toxic lethal chemicals which have been stockpiled as chemical weapons.

2. Super-toxic lethal chemicals which pose a particular risk of potential use as chemical weapons.

3. Super-toxic lethal chemicals which have little or no use except as chemical weapons.

4. Super-toxic lethal chemicals which possess physical and chemical properties enabling them to be used as chemical weapons. 2/

5. Super-toxic lethal chemicals with chemical structure related/similar to those super-toxic lethal chemicals already listed in Schedule 1. 3/

6. Chemicals whose principal effect is to cause temporary incapacitation and which possess physical and chemical properties enabling them to be used as chemical weapons.

7. Any toxic chemical with a chemical structure related/similar to those chemicals already listed in Schedule 1. 3/

8. Other chemicals which have been stockpiled as chemical weapons.

9. Other chemicals which have little or no use except as chemical weapons.

10. Key precursors which participate in a one-stage process of producing toxic chemicals in munitions and devices. 4/

11. Key precursors which pose a high risk to the objectives of the Convention by virtue of their high potential for use to produce chemical weapons.

1/ The basis and modalities for the application and revision of the guidelines are to be developed.

2/ A view was expressed that compounds listed in Schedule [1] should possess the properties of chemical warfare agents.

3/ The view was expressed that this by itself would not be sufficient to include a chemical in Schedule [1].

4/ One delegation believes that this provision is not necessary and that it is already covered under point 12.

12. Key precursors which may possess the following characteristics:

(i) it may react with other chemicals to give, within a short time, a high yield of a toxic chemical defined as a chemical weapon;

(ii) the reaction may be carried out in such a manner that the toxic product is readily available for military use; and

(iii) key precursors which have little or no use except for chemical weapons purposes.

POSSIBLE FACTORS IDENTIFIED TO DETERMINE THE NUMBER, INTENSITY, DURATION, TIMING AND MODE OF INSPECTIONS OF FACILITIES HANDLING *SCHEDULE [2] CHEMICALS* 1/

1. Factors related to the listed chemical

   (a) Toxicity of the end-product.

2. Factors related to the facility

   (a) Multipurpose or dedicated facility.

   (b) Capability and convertibility for initiating production of highly toxic chemicals.

   (c) Production capacity.

   (d) On-site storage of listed key precursors in quantities exceeding ... tonnes.

   (e) Location of the facility and infrastructure for transportation.

3. Factors related to the activities carried out at the facility

   (a) Production e.g. continuous, batch, types of equipment.

   (b) Processing with conversion into another chemical.

   (c) Processing without chemical conversion.

   (d) Other types of activities, e.g., consumption, import, export, transfer.

   (e) Volume produced, processed, consumed, transferred.

   (f) Relationship between maximum and utilized capacity for a scheduled chemical.

      - multipurpose facility

      - dedicated facility

4. Other factors

   (a) International monitoring by on-site instruments.

   (b) Remote monitoring.

1/ The order in which these factors are listed does not indicate any priority.

REPORT ON HOW TO DEFINE "PRODUCTION CAPACITY"

During the 1987 session, consultations were held with Lt. Col. Bretfeld (German Democratic Republic), Dr. Cooper (United Kingdom), Prof. Kuzmin (USSR), Dr. Mikulak (United States), Dr. Ooms (Netherlands) and Prof. Pfirschke (Federal Republic of Germany), as well as with Col. Koutepov (USSR) and Col. Lovelace (United States). This report summarized the results of the consultations, as seen by the rapporteur, Dr. Santesson (Sweden).

Although it was generally felt that it would be desirable to have one definition of "production capacity" applicable all through the Convention, it was also concluded that this might not be possible.

A definition could consist of a verbal part and a mathematical formula to be used for the calculation of the numerical value of the production capacity. Such a single definition, as exemplified below, could be utilized in the Annex to Article V, paragraphs I.A.5 (a) and I.B.7 (cf. in this context CD/CW/WP.148), in the Annex to Article VI [2], paragraph 2 in the Annex to Article VI [3], paragraph 1 (iv), and in the case of "Possible factors identified to determine ... Schedule [2] chemicals", contained in CD/782, Appendix II, p. 12.

On the basis of CD/CW/WP.171 and proposals presented during the consultations, the following suggestion was worked out.

Verbal part:

Alt. 1 The production capacity is the annual quantitative potential for manufacturing a specific substance on the basis of the technological process used at a facility where the substance in question is actually produced.

Alt. 2 The production capacity is the annual quantitative potential for manufacturing a specific substance on the basis of the technological process actually used or planned to be used at a facility.

Mathematical formulae:

Production capacity per year =

$$= \frac{\text{quantity produced}}{\text{hours of production}} \times \text{constant} \times \text{no. of units}$$

or in the case of dedicated units not yet in operation

$$= \frac{\text{nameplate or design capacity}}{\text{hours of planned operation}} \times \text{constant} \times \text{no. of units}$$

The constant is the number of hours of availability per year. In both formulae, the constant will have different values for continuous and batch operations. Furthermore, different values may have to be assigned for "dedicated batch processes" and "multipurpose batch processes". The values of the constant remains to be determined.

It was noted that the formulae relate to the production step in which the product is actually formed. They might not necessarily be applicable e.g. to subsequent purification steps in the process.

It was also noted that in the case of multipurpose facilities producing more than one declared chemical, the production capacity of the facility for each of the chemicals should be calculated independently of the other chemicals being produced.

In the case of the Annex to Article VI [...], it appears that for limited production, the above mathematical formulae might possibly give rise to an overestimate of the actual production capacity. It was suggested that the formulae could be used if the annual production was more than five tonnes.

In the case of the Annex to Article VI [1] it was felt that the above type of definition would be unsuitable and that other ways of delimiting the "production capacity" of the single small-scale production facility should be explored.

Further refinement of the definition of production capacity is required. Also, methods for verification of the declared production capacity will have to be discussed. In this context opinions were expressed on the use of production log books and to which extent inspectors would need access to technical information on the production process.

As a continuation of the consultations reported in CD/795, further consultations were held with Dr. Boter (Netherlands), Lt. Col. Bretfeld (German Democratic Republic), Dr. Cooper (United Kingdom) Prof. Kuzmin (Union of Soviet Socialist Republics), Prof. Pfirschke (Federal Republic of Germany) and Dr. Schröder (Federal Republic of Germany). This report summarizes the results of the continued consultations, as seen by the rapporteur, Dr. Santesson (Sweden).

In the view of the technical experts, "production capacity" could be defined thus:

> The production capacity is the annual quantitative potential for manufacturing a specific substance on the basis of the technological process actually used or, in case of processes not yet operational, planned to be used at the facility, as specified in the subsidiary agreements.

For the purpose of the declaration, an approximate production capacity shall be calculated using the formula:

Production capacity (tons/year) =

$$= \frac{\text{des. cap.}}{\text{pl. op. hours}} \times \text{op. factor} \times \text{no. of units}$$

where:

des. cap. = nameplate or design capacity of one unit (tons/year)
pl. op. hours = hours of planned operation to achieve the design capacity
op. factor = operational factor (hours)

The operational factor should take into account the various facility-specific and process-specific factors which would affect the actual practical production capacity, and could e.g. be determined during the initial visit. A need might exist for a provisional value of the operational factor to be applied before the initial visit has taken place.

REPORT ON INSTRUMENTAL MONITORING OF NON-PRODUCTION IN FACILITIES DECLARED UNDER THE ANNEX TO ARTICLE VI [2]

During the 1988 session, consultations were held on instrumental monitoring of non-production in facilities declared under the Annex to Article VI [2]. This report summarizes the results of the consultations, as seen by the rapporteur, Dr. Rautio (Finland).

It was suggested that it is preferable to have only a few general paragraphs in the Convention regarding instrumental monitoring. Detailed provisions for a particular facility will be included in the facility attachment tailored for each facility according to the guidelines presented in the Model Agreement.

It was also suggested that depending on a number of factors laid out in CD/831 and possibly the preference of the facility, the facility may be:

(i) monitored with on-site instruments and visits by inspectors; or

(ii) monitored only by visits of inspectors, but at a higher frequency than if there were also monitoring by on-site instruments.

Inspectors and instrumental monitoring should be considered complementary. Instruments cannot replace inspectors but they could reduce the need for inspection. In cases where instrumental monitoring is not feasible or desirable, the number of inspections might need to be higher than if instruments were used. Instrumental monitoring would be needed in cases where continuous monitoring is required.

Specific verification objectives

(i) Facilities declared under Annex to Article VI [2] are not used to produce any chemical listed in Schedule [1].

(ii) The quantities of chemicals listed in Schedule [2] produced, processed or consumed are consistent with needs for purposes not prohibited by the Chemical Weapons Convention.

(iii) The chemicals listed in Schedule [2] are not diverted or used for purposes prohibited by the Chemical Weapons Convention.

(i) Monitoring the non-presence of chemicals in Schedule [1]

The objective would necessitate either continuously-operating chemical sensors or sampling and subsequent analysis of the samples, preferably on-site. Off-line analysis of the samples during an on-site inspection could be adequate. If all production at facilities producing chemicals in Schedule [2] were declared, then detection of any undeclared chemical would indicate an anomaly.

Infra-red spectrometers are already available for in-line process monitoring. Their potential and reliability for verification purposes will have to be tested carefully. Whether it is possible to establish sets of common spectrometric properties for various groups of chemicals in Schedule [1] remains to be determined, for example.

For the time being, on-line instruments such as process chromatographs and mass spectrometers requiring sample transfer lines from the process stream to the instrument are too prone to malfunctions without frequent servicing.

A prototype of a sampling device has been demonstrated for sampling at programmed intervals of microgram quantities that can be analysed later by a mobile mass spectrometer during on-site inspections. Further development of the sampling device is necessary.

Monitoring of a particular facility for the non-presence of chemicals listed in Schedule [1] could be restricted to those corresponding to chemicals listed in Schedule [2] being produced by the facility.

(ii) Monitoring production quantities

The least intrusive way of verifying the quantities of declared chemicals that are produced would be to measure production volumes and to make a qualitative test of the chemical produced. Indirect methods for production control by recording temperature/pressure and time/temperature profiles were considered more intrusive.

Sometimes it may be sufficient to monitor "simple" physical parameters not directly related to the chemical structure of the compounds (e.g. energy consumption). Instruments required for measuring physical parameters are available. The most advantageous way of measuring the volume of production should be considered individually for each facility.

(iii) Monitoring non-diversion

Diversion of chemicals in Schedule [2] by further processing on-site to chemicals in Schedule [1] could be detected with composition-indicating instruments by monitoring what goes in and out of product storage tanks.

Confidentiality problems connected with instrumental monitoring

It was pointed out that successful, non-intrusive instrumental monitoring might in some cases necessitate modifications of the facility. On the other hand, it was noted that "sensitive" parameters such as temperature and pressure might not need to be monitored. On-site analyses in the presence of facility personnel of the samples collected by the automatic sampling devices and destruction of the analytical samples after the analysis would facilitate keeping the confidential information within the facility. The samples could be analysed either for the non-presence of chemicals in Schedule [1] or for the presence of declared chemicals while not going into the details of the production process.

It was also suggested that data generated by instruments could be stored on-site and retrieved by inspectors during on-site visits so that no direct

data produced by the sensors would need to be transmitted to the Technical Secretariat. What would need to be transmitted, however, is information (yes/no answer) that the sensors are working properly. This could be done via telephone lines, which would keep the cost low.

Storage of data on-site would allow easy access for the inspectors to the data and the operators would have higher level of confidence in the protection of data than if the data were transmitted off-site. New techniques such as write-only lasers are under way for reliable data storage.

There should be fewer confidentiality problems in instrumental monitoring of dedicated facilities producing chemicals listed in Schedule [2] because there is less confidential information than in multipurpose facilities and it is easy to verify that the product type is not changed. Probably very few dedicated plants producing chemicals in Schedule [2] exist.

Most of the confidentiality problems are connected with the multipurpose facilities. The production of a variety of chemicals would increase the amount of data needed for verification. Inter alia, these facilities would have to prove the absence of chemicals listed in Schedule [2] when these are not being produced.

Ownership of the instrumentation used for verification

It was suggested that use of instruments already existing at the facility for process control should be maximized, but in a non-intrusive way. The possibility of using facility-owned instrumentation would depend on instruments available, the lay-out of the facility and of the reliability of the instruments installed. Therefore their use would have to be decided individually for each plant.

If facility-owned instruments were to be used, personnel of the facility would be in charge of their service, maintenance and calibration. This would necessitate the right for the inspectors to check the calibration and perhaps to install additional, parallel instruments, owned by the International Organization, (e.g. flow or loadmeters) for redundancy.

Establishment of a group of international technical experts

It was suggested that it would be advantageous to establish an informal international group of technical experts in the framework of the Conference already at this stage of the negotiations to facilitate exchange of information on efforts under way in a number of countries on development of verification techniques, procedures, and devices. The technical experts group might also be useful in co-ordinating national efforts, including national inspection trials to assure that as many open questions as possible could be answered as a result of the trials. Results from the national inspections could also be evaluated by the technical body.

MODELS FOR AGREEMENTS

A. MODEL FOR AN AGREEMENT RELATING TO FACILITIES PRODUCING, PROCESSING ,OR CONSUMING CHEMICALS LISTED IN SCHEDULE [2] 1/

1. Identification of the facility

(a) Facility identification code

(b) Name of the facility

(c) Owner(s) of the facility

(d) Name of the company or enterprise operating the facility

(e) Exact location of the facility

- Location of the complex
- Location of the facility within the complex, including the specific building and structure number, if any
- Location of relevant support facilities within the complex: e.g., research and technical services, laboratories, medical centres, waste treatment plants

(f) Determination of the area(s) and place(s)/site(s) to which inspectors shall have access.

2. Information on the facility

This agreement is based on the design information obtained during the initial visit on [date of visit]. Design information should include:

(a) Data on the production process (type of process: e.g., continuous or batch; type of equipment; the technology employed; process engineering particulars)

(b) Data on processing with conversion into another chemical (description of the conversion process, process engineering particulars and end-product)

(c) Data on processing without chemical conversion (process engineering particulars, description of the process and the end-product, concentration in the end-product)

(d) Data on waste treatment (disposal and/or storage, waste treatment technology, recycling)

1/ This paper relates to agreements which have commonly been named "facility attachments". Further work is needed on this issue.

(e) Data on safety and health measures at the facility

(f) Data on clean-up procedures and general overhauls

(g) Data on feedstocks used in the production or processing of declared chemicals (type and capacity of storage)

(h) Maps and plans of the facility, including data on infrastructure for transportation (site maps showing, for example, all buildings and functions, pipework, roads, fences, mains electricity, water and gas points, and diagrams indicating the relevant material flow at the designated facility).

2.1. Storage of information

Designation of information, provided about the facility under paragraph 2, which shall be kept by the Technical Secretariat under lock and key at the facility. (In the event of unresolved ambiguities, the Organization 1/ shall have the right to study such information.)

3. Number and modalities of inspections

After the initial visit, the number and modalities of inspections shall be decided by the Technical Secretariat on the basis of guidelines (compare CD/CW/WP.167, page 63, subparagraph 5.ii. and CD/CW/WP.167, Appendix II, page 3).

4. Verification measures and identification of the specific area(s) and place(s) of a facility to be inspected

(a) Identification of the relationship between feedstocks and the quantity of end-products

(b) Identification of key points for measurement (KMP) and sample-taking (STP)

(c) Identification of methods for continuous monitoring and surveillance, e.g.

- key points for the application of monitoring and surveillance measures
- installed instruments and devices, seals and markers, methods to check the proper functioning of those instruments, servicing of installed instruments
- activities to be undertaken by the State Party concerned with a view to providing the conditions necessary for the installation and proper functioning of the devices

(d) Certification of relevant losses within the production process and their implications for key measurement points (KMP)

1/ The question of which organ(s) of the Organization should be entrusted with this task should be considered further.

5. Inspection activities

5.1. Mode of routine inspection

To be developed on the basis of the initial visit.

5.2. Indication of the scope of the inspection effort in agreed areas under ordinary circumstances

Access to the area to be inspected, including all key points. Activities may comprise:

(a) Examination of relevant records

(b) Identification of relevant plant equipment

(c) Identification and validation of measuring equipment (examination and calibration of measuring equipment; verification of measuring systems using, as appropriate, independent standards)

(d) Taking of analytical samples

(e) Verification of chemical inventory records

- verification of the operator's inventory-taking for completeness and accuracy
- verification of the quantities of feedstocks

(f) Observation of operations relating to movement of chemical substances in the plant

(g) Installation, servicing and review of surveillance and monitoring instruments

(h) .

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5.3. Specific arrangements for the use of special equipment

As the need arises, specific arrangements for the use of special equipment, as requested by inspectors.

6. Provisions governing sample-taking, on-site analyses of samples and on-site analysis equipment

(a) Sample-taking (e.g., standardized procedures)

(b) On-site analyses (e.g., provisions concerning on-site/in-house analyses, analytical methods, equipment, precision and accuracy of analyses)

(c) Duplicates and additional samples

7. Records

7.1. Type of records

The records to be examined shall be determined after the initial visit and shall include the following:

(a) Accounting records (for example, discards, retained wastes, shipments of end-products, receipts/shipments)

(b) Operating records

Operating records used to establish the quantity, quality and composition of the end-product. These may include:

- Information on any accident that resulted in a loss/gain of material
- Information on dissolution, evaporation, etc.

(c) Calibration records

Information on the functioning of analytical/monitoring equipment.

7.2. Location and language of records

To be determined during the initial visit.

7.3. Access to records

To be determined after the initial visit.

7.4. Retention period of records

To be determined on the basis of the initial visit.

8. Services to be provided by the facility

Point of contact for each type of service, e.g.

- operator assistance
- medical and health services.

9. Specific facility health and safety rules and regulations to be observed by inspectors

10. Changes, revision and updating of advance information to be provided on the facility

(To be announced in reference to the paragraph on the design information obtained during the initial visit)

11. Interpretation services

B. MODEL FOR AN AGREEMENT RELATING TO SINGLE SMALL-SCALE PRODUCTION FACILITIES 1/

Proposal by the Co-ordinator of Cluster IV for the 1987 session

1. Information on the single small-scale production facility

(a) Identification

(i) Facility identification code

(ii) Name of the facility

(iii) Exact location of the facility

If the facility is located within a complex, then also

- Location of the complex
- Location of the facility within the complex, including the specific building and structure number, if any
- Location of relevant support facilities within the complex, e.g. research and technical services, laboratories, medical centres, waste treatment plants
- Determination of the area(s) and place(s)/site(s) to which inspectors shall have access

(b) Detailed technical information

(i) Maps and plans of the facility, including site maps showing, with functions indicated, for example, all buildings, pipework, roads, fences, mains electricity, water and gas points, diagrams indicating the relevant material flow at the designated facility and data on infrastructure for transportation

(ii) Data on each production process (type of process, type of equipment, technology employed, production capacity, process engineering particulars)

(iii) Data on the feedstocks used (type of feedstock, storage capacity)

(iv) Data on the storage of the chemicals produced (type and capacity of storage)

(v) Data on waste treatment (disposal and/or storage, waste treatment technology, recycling)

1/ Prepared by Lt. Col. Bretfeld, German Democratic Republic; Dr. Cooper, United Kingdom; Dr. Lau, Sweden; and Dr. Santesson, Sweden.

(c) Specific facility health and safety procedures to be observed by inspectors

(d) Dates

(i) Date when the initial visit took place

(ii) Date(s) when additional information was provided

(e) Storage of information

Identification of which information, provided about the facility under paragraph 1, shall be kept by the Technical Secretariat under lock and key at the facility.

2. Number and modalities of inspections

The number and modalities of inspections shall be decided by the Technical Secretariat on the basis of guidelines.

3. Inspections

On-site inspection activities may include, but shall not necessarily be restricted to, the following:

(i) Observation of any and all activities at the facility

(ii) Examination of any and all equipment at the facility

(iii) Identification of technological changes in the production process

(iv) Comparison of process parameters with those ascertained during the initial visit

(v) Verification of chemical inventory records

(vi) Verification of equipment inventory records

(vii) Review, servicing and maintenance of monitoring equipment

(viii) Identification and validation of measuring equipment (examination and calibration of measuring equipment, verification of measuring systems using, as appropriate, independent standards)

(ix) Application, examination, removal and renewal of seals

(x) Investigation of indicated irregularities

4. Monitoring system

(a) Description of items and their location

(i) Sensors and other instruments

(ii) Data transmission system

(iii) Ancillary equipment

(iv) ...

(b) Installation of the system

(i) Time schedule

(ii) Advance preparations

(iii) Assistance to be provided by the State Party during installation

(c) Activation, initial testing and certification

(d) Operation

(i) Regular operation

(ii) Routine tests

(iii) Service and maintenance

(iv) Measures in case of malfunctions

(v) Responsibilities of the State Party

(e) Replacement, modernization

5. Temporary closure

(a) Notification procedure

(b) Description of the types of seals to be used

(c) Description of how and where seals shall be fixed

(d) Provisions for surveillance and monitoring

6. Instruments and other equipment to be used during inspections

(a) Instruments and other equipment installed or brought in by inspectors

(i) Description

(ii) Testing, calibration and examination by the State Party

(iii) Use

(b) Instruments and other equipment to be provided by the State Party

(i) Description

(ii) Testing, calibration and examination by inspectors

(iii) Use and maintenance

7. Sample-taking, on-site analyses of samples and on-site analysis equipment

(a) Sample-taking from production

(b) Sample-taking from stocks

(c) Other sample-taking

(d) Duplicates and additional samples

(e) On-site analyses (e.g., provisions concerning on-site/in-house analyses, analytical methods, equipment, precision and accuracy of analyses)

8. Records The records to be examined shall be determined after the initial visit and shall include the following:

(a) Accounting records

(b) Operating records

(c) Calibration records

The following shall be determined on the basis of the initial visit:

(a) Location and language of records

(b) Access to records

(c) Retention period of records

9. Administrative arrangements

(a) Preparations for the arrival and departure of inspectors

(b) Transport of inspectors

(c) Accommodation for inspectors

(d) ...

10. Services to be provided 1/

Such services may include, but shall not necessarily be restricted to, the following:

(a) Medical and health services

(b) Office space for inspectors

(c) Laboratory space for inspectors

1/ The question of charges for the services needs to be discussed.

(d) Technical assistance

(e) Telephone and telex

(f) Power and cooling water supplies for instruments

(g) Interpretation services

For each type of service, the following information shall be included:

(a) The extent to which that service shall be provided

(b) Points of contact at the facility for the service

11. Other matters

12. Revisions of the agreement

C. MODEL FOR AN AGREEMENT RELATING TO CHEMICAL WEAPONS STORAGE FACILITIES 1/

Proposal by the Co-ordinator of Cluster IV for the 1987 session

1. Information on the storage facility

(a) Identification:

(i) Storage facility identification code;

(ii) Name of the storage facility;

(iii) Exact location of the storage facility.

(b) Dates:

(i) Date of the initial verification of the Declaration of the facility;

(ii) Date(s) additional information provided

(c) Layout:

(i) Maps and plans of the facility, including

- boundary map to show entrances, exits, nature of boundary (e.g. fence);

- site maps to include locations of all buildings and other structures, bunkers/storage areas, fences with access points indicated, mains electricity and water points, and infrastructure for transports including loading areas;

(ii) Details of the construction of bunkers/storage areas which might be of relevance for verification measures;

(iii) ...

(d) Detailed inventory of the contents of each bunker/storage area;

(e) Specific facility health and safety procedures to be observed by inspectors.

2. Information relating to the transport of chemical weapons from the facility

(a) Detailed description of loading area(s);

(b) Detailed description of loading procedures;

1/ Prepared by Lt. Col. Bretfeld, German Democratic Republic; Dr. Cooper, United Kingdom; Dr. Lau, Sweden; and Dr. Santesson, Sweden.

(c) Type of transport to be used, including construction details relevant to verification activities, e.g. where to place seals;

(d) ...

3. Number and modalities of systematic inspections, etc.

The number and modalities of systematic inspections will be decided by the Technical Secretariat on the basis of guidelines.

4. Inspections

(a) Systematic on-site inspections

Systematic on-site inspection activities may include, but are not necessarily restricted to, the following:

(i) Application, examination, removal and renewal of seals;

(ii) Review, servicing and maintenance of monitoring equipment;

(iii) Verification of the inventory of randomly selected sealed bunkers/storage areas.

- Percentage of bunkers/storage areas to be verified during each systematic on-site inspection.

(b) On-site inspections of transports from the facility

On-site inspections of transports of chemical weapons from the storage facility may include, but are not necessarily restricted to, the following:

(i) Application, examination, removal and renewal of any seals relevant to the transportation of chemical weapons;

(ii) Verification of the inventory of bunkers/storage areas from which chemical weapons are to be transported;

(iii) Observation of the loading procedure and verification of items loaded;

(iv) Adjustment/realignment of the coverage of the monitoring system.

(c) Inspections to resolve indicated irregularities (ad hoc inspections)

Ad hoc inspection activities may include, but are not necessarily restricted to, the following:

(i) Investigation of indicated irregularities;

(ii) Examination, removal and renewal of seals;

(iii) Verification as required of the inventory of bunkers/storage areas.

(d) Continuous presence of inspectors

The activities of continuously present inspectors may include, but are not necessarily restricted to, the following:

(i) Application, examination, removal and renewal of seals;

(ii) Verification of the inventory of any selected sealed bunkers/storage areas;

(iii) Observation of any and all activities at the storage facility, including any handling of stored chemical weapons for the purpose of transport from the storage facility.

5. Seals and markers

(a) Description of types of seals and markers

(b) How and where seals are to be fixed

6. Monitoring system

(a) Description of items and their locations:

(i) Sensors and other instruments;

(ii) Data transmission system;

(iii) Ancillary equipment;

(iv) ...

(b) Installation:

(i) Time schedule;

(ii) Advance preparations at the storage facility;

(iii) Assistance to be provided by the State Party during installation.

(c) Activation, initial testing and certification

(d) Operation:

(i) Regular operation;

(ii) Routine tests;

(iii) Service and maintenance;

(iv) Measures in case of malfunctions;

(v) Responsibilities of the State Party.

(e) Replacements, modernizations

(f) Dismantling and removal

7. Provisions governing instruments and other equipment to be used during inspections

(a) Instruments and other equipment brought in by inspectors:

(i) Description;

(ii) Testing, calibration and examination by the State Party;

(iii) Routine use.

(b) Instruments and other equipment to be provided by the State Party:

(i) Description;

(ii) Testing, calibration and examination by inspectors;

(iii) Routine use and maintenance.

8. Provisions governing sample-taking, on-site analyses of samples and on-site analysis equipment

(a) Sample-taking from munitions, notably the standardization of methods for each different type of munition present at the facility

(b) Sample-taking from bulk stocks

(c) Other sample-taking

(d) Duplicates and additional samples

(e) On-site analyses (e.g., provisions concerning on-site/in-house analyses, analytical methods, equipment, precision and accuracy of analyses)

9. Administrative arrangements

(a) Preparations for arrival of inspectors

(b) Transport for inspectors

(c) Accommodation for inspectors

(d) ...

10. Services to be provided 1/

Such services should include, but are not necessarily restricted to, the following:

- medical and health services;
- office space for inspectors;
- laboratory space for inspectors;
- technical assistance;
- telephone and telex;
- power and cooling water supplies for instruments;
- interpretation services.

For each type of service, the following information should be included:

- the extent to which that service is to be provided;
- point of contact at the facility for the service.

11. Amendments and revisions of the agreement

(e.g. changes in loading procedures, types of transport, analytical methods)

12. Other matters

1/ The question of charges for the services needs to be discussed.

ON-SITE INSPECTION ON CHALLENGE

This paper represents the state of affairs of work done on the issue of On-Site Inspection on Challenge, as seen by the Chairman of the Ad Hoc Committee for the 1987 session and by the Chairman of Group C for the 1988 session. Nothing contained therein constitutes any agreement and therefore does not bind any delegation. The paper is presented with the aim of facilitating for delegations to analyse the situation and to arrive at common positions in the future work of the Committee.

Under Part I, (paragraphs 1-13) material is found on the initial process for an on-site inspection on challenge, up until the submission of the report by the inspectors, as put together by the Chairman of the Ad Hoc Committee for the 1987 session. Under Part II (paragraphs 14-18), material is found on the process after the submission of the report, as put together by the Chairman of Group C for the 1988 session.

PART I

1. Each State Party has the right at any time to request an on-site inspection of any site under the jurisdiction or control 1/ of a State Party, anywhere, in order to clarify doubts about compliance with the provisions of the Convention. A requesting State is under the obligation to keep the request within the objectives of the Convention.

2. Throughout the inspection the requested State has the right and is under the obligation to demonstrate its compliance with the Convention.

3. The on-site inspection on challenge shall be carried out in accordance with the request.

(The initiation of a challenge inspection)

4. The request shall be submitted to the Head of the Technical Secretariat. 2/ It shall as precisely as possible specify the site to be inspected and the matters on which reassurance is required, including the circumstances and nature of the suspected non-compliance, as well as indicate the relevant provision(s) of the Convention, about which doubts of compliance have arisen.

5. The Head of the Technical Secretariat shall immediately notify the State Party to be inspected, and inform the members of the Executive Council about the request.

1/ The question of "jurisdiction or control" spans over many parts of the Convention. It is under continuous discussion and the exact formulations remain to be agreed upon.

2/ It has been pointed out that there is a need to discuss ways and means to prevent misuse of such requests. One suggested approach is to transmit the request through a Fact-finding Panel.

6. A team of inspectors shall be dispatched as soon as possible and arrive at the site to be inspected not later than ... hours 1/ after the request.

7. The requested State is obliged to admit the team of inspectors and representative(s) of the requesting State into the country and assist them so that they can arrive at the site on time. 2/

8. The inspectors shall at the arrival be permitted to secure the site in a way they deem necessary to ensure that no material of relevance for the inspection is removed from the site.

9. Access to the site for the inspection team shall be provided not later than ... hours after the request.

(The conduct of challenge inspection)

10. The team of inspectors shall conduct the requested on-site inspection with the purpose of establishing relevant facts.

11. The inspectors shall have the access to the site they deem necessary for the conduct of their mission, within the limits of the request. They shall conduct the inspection in the least intrusive manner possible to accomplish their task. The requested State shall facilitate the task of the inspectors.

The inspectors shall consult with the requested State which in keeping with its right and obligation may propose ways and means for the actual conduct of the inspection. The requested State may also make proposals for the protection of sensitive equipment or information, not related to chemical weapons. The inspectors shall consider the proposals made to the extent they deem them adequate for the conduct of their mission.

The inspectors shall conclude the inspection as soon as possible and not later than ... after the commencement of the inspection, and return to the Headquarter.

12. In the exceptional case the requested State proposes arrangements to demonstrate compliance, alternative to a full and comprehensive access, it shall make every effort through consultations with the requesting State to reach agreement on the modalities for establishing the facts and thereby clarifying the doubts.

If agreement is reached within ... hours after the request, the inspection team shall carry out its task in accordance with the agreement. If no agreement is reached within ... hours after the request [the inspection shall be carried out in accordance with points 10 and 11 above.] [the inspection team shall report on the matter to the Executive Council which, within ... hours, shall ...].

1/ A time span of 24-48 hours from the request to the arrival has been discussed.

2/ Situations could be envisaged, i.e. when the site to be inspected is not on the territory of the requested State Party. Such cases could however be considered in the context of questions related to jurisdiction.

(The report)

13. The team of inspectors shall submit a report to the Head of the Technical Secretariat as soon as possible and not later than ... days after the conclusion of the inspection.

The report shall be strictly factual and only contain relevant information, and may within these parameters, include information as to the manner in which the State Party inspected co-operated with the inspection team. Different views held by inspectors shall be attached to the report.

The Head of the Technical Secretariat shall promptly transmit the report to the requesting State, the requested State and to the Executive Council.

PART II

(The process after the submission of the report)

14. The requesting State shall promptly notify the members of the Executive Council, through the Director-General of the Technical Secretariat, of its assessment on the result of the inspection [and, to the extent it deems appropriate, of the course of action it intends to take under the Convention].

15. The Director-General of the Technical Secretariat shall provide to States Parties the inspection report, 1/ the assessment of the requesting State, and the views of the requested State and of other States Parties which may be conveyed to him for that purpose.

16. When requested by any State Party, the Executive Council shall meet to assess the situation, taking into account the report, the assessment by the requesting State and the views of the requested State and of other States Parties. 2/

17. 3/ The Executive Council shall, as it deems necessary, consider [and recommend] [and decide on] [whether there has been a violation of the Convention and] appropriate further actions to clarify or remedy the situation. [Such further actions may, inter alia, be designed to induce the requested State to bring itself into conformity with the Convention or to address the misuse or abuse of requests by the requesting State].

1/ The question of the stages of the inspection report and the decision by which some of the contents of the final report is provided to all parties needs further consideration.

2/ A view was expressed that this paragraph is superfluous because the procedures for meetings of the Executive Council are to be set forth under the relevant provisions in article VIII and possibly in Article IX.

3/ The question of the procedure and decision-making of the Executive Council in connection with this paragraph needs to be considered.

18. The Executive Council shall [provide any report it may make] [report] on its consideration of the matter to States Parties. [If a breach of the Convention remains unrectified, the Executive Council shall refer the matter to the [Consultative Committee] [General Conference], which should decide on sanctions including the withdrawal of rights and privileges]. 1/ 2/ [The [Executive Council or the] [Consultative Committee] [General Conference] shall, where appropriate, bring the matter to the attention of the Security Council of the United Nations].

1/ The question of possible sanctions including the withdrawal of rights and privileges needs further careful examination in the context not only of challenge inspections but also of routine inspections and other elements of the Convention.

2/ A view was expressed that the possibility of the withdrawal of rights and privileges of the requesting State Party which has abused or misused the request needs also to be considered.

Article X: Assistance

1. Each State Party has the right to request assistance [for protection against chemical weapons] through the Executive Council:

(a) in case it considers that chemical weapons have been used against it;

(b) in case it has serious reasons to believe that there is a threat of use of chemical weapons against it;

[(c) in case it feels that its security has been, or is likely to be, threatened as a result of any other violation of the Convention by another State Party or of the development, production, acquisition, stockpiling possession of chemical weapons by a State not Party to the Convention or of the transfer of chemical weapons to any such State.]

2. Such a request shall be substantiated by relevant information supporting its validity.

3. The Technical Secretariat shall promptly inform all States Parties about the request.

4. The Executive Council shall: 1/

(a) meet [immediately] to evaluate the request in the light of the information provided; 2/

(b) if so deemed necessary, instruct the Technical Secretariat, within ... hours, to initiate an investigation of the facts related to the alleged use or threat of use and, when applicable, to establish an inventory of the specific assistance needed; [in appropriate cases, the Executive Council may direct that the investigation should include on-site inspection;] if an on-site inspection takes place, its conduct shall be governed by the principles and rules established in Article IX of the Convention. 3/

(c) on the basis of the results of the investigation carried out by the Technical Secretariat, decide on whether to request the provision of assistance; the decision to request assistance shall require a two-thirds majority;

(d) inform all States Parties of its decision.

1/ A view was expressed that assistance should be provided automatically in case of actual use of chemical weapons. Another view was expressed that assistance should be provided on a voluntary basis.

2/ Some reservations have been expressed about the ability of the Executive Council to assess "threat of use".

3/ A view was expressed that all aspects related to investigations and fact-finding procedures should be dealt with in the context of Article IX.

5. Each State Party to the Convention undertakes:

(a) to co-operate and facilitate, as appropriate, the investigation including on-site inspection initiated by the Executive Council under paragraph 4 (b);

[(b) that, whenever so requested by the Executive Council, it shall, to the extent possible, provide assistance and support the provision of assistance to the requesting State.]

6. The Technical Secretariat, in close co-operation, as appropriate, with the relevant international agencies in the humanitarian field, will co-ordinate the actions undertaken in providing the necessary assistance. 1/ 2/

[7. Within six months after the entry into force of the Convention, States Parties shall conclude with the Organization an agreement on the provision of assistance under this article. Such agreement shall be based on a Model Agreement and shall specify the equipment, training facilities and other technical advice or services to be provided by the State Party to the States concerned.]

[8. The organization 3/ shall prepare, and be responsible for the implementation of, programmes for the promotion of international co-operation for the development and strengthening of a protective capacity against chemical weapons by interested States, including programmes for the dissemination of scientific and technological information on protective measures against chemical weapons and for training in such measures.]

9. Nothing in this Convention shall be interpreted as affecting the right of all the Parties to the Convention to conduct research with, develop, produce, acquire and use means of protection against chemical weapons, for purposes not prohibited by the Convention.

[10. All the parties to the Convention undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, material and scientific and technological information for protection against chemical weapons.] 4/

1/ A view was expressed that States Parties should conclude subsidiary arrangements with the Technical Secretariat whereby they indicate ways and means by which they can provide assistance. Another view was expressed that the conclusion of such arrangements was not needed.

2/ The question of how to meet the costs needs to be discussed.

3/ The question of which organ(s) of the Organization should be entrusted with this task should be considered further.

4/ The view was expressed that co-operation in this field could be conducted through voluntary bilateral and multilateral agreements.

Article XI: Economic and technological development 1/

1. The provisions of this Convention shall be implemented in a manner designed, in so far as possible, to avoid hampering the economic or technological development of Parties to the Convention and international co-operation in the field of peaceful chemical activities including the international exchange of scientific and technical information and chemicals and equipment for the production, processing or use of chemicals for peaceful purposes in accordance with the provisions of the Convention.

2. The States Parties to this Convention, subject to its provisions, shall:

(a) have the right, individually or collectively, to conduct research with, to develop, produce, acquire, retain, transfer and use chemicals;

(b) undertake to facilitate, and have the right to participate in, the fullest possible exchange of chemicals, equipment and scientific and technical information relating to the development and application of chemistry for purposes not prohibited by this Convention;

(c) not impose any restrictions [on a discriminatory basis] which would impede development and promotion of scientific and technological knowledge in the field of chemistry.

This provision shall be without prejudice to the generally recognized principles and applicable rules of international law concerning peaceful chemical activities [including those concerning any proprietary rights and environmental or health protection].

1/ Some delegations expressed the view that this Article required further consideration. In particular, in their view, there exists no common understanding as to the definition of key terms in the wording proposed for this Article, and therefore no clear picture of the extent of the obligations to be undertaken by States Parties.

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Articles XII, XIII, XIV, XV and XVI of the Preliminary Structure of a Convention on Chemical Weapons

During the 1988 session, the Chairman of the Ad Hoc Committee initiated and carried out open-ended consultations, as well as private consultations with interested delegations, on the final provisions of the Convention (Articles XII to XVI).

This discussion paper constitutes an attempt by the Chairman to summarize the views expressed during these consultations. The paper is presented with the aim of facilitating further consideration. Nothing contained therein constitutes any agreement and therefore does not in any way bind any delegation.

Together with existing as well as future proposals and documents on these Articles, the discussion paper will be used for further work on these Articles.

Article XII: Relation to other international agreements

Commentary

(a) views were expressed that article XII is not needed. In this case the relationship between the CW Convention and other international agreements would be regulated by general rules of international law, as well as by the rules of the Vienna Convention on the Law of Treaties.

(b) Some delegations are in favour of a reference to specific international agreements, i.e. the Geneva Protocol of 1925 and BW Convention.

(c) It has been suggested that a general reference to other international agreements be included.

(d) It might be possible to combine the approaches reflected in paragraphs (b) and (c) above thus having references both to specific and other unnamed international agreements.

Possible wording for article XII

1. None.

2. Nothing in this Convention shall be interpreted as in any way limiting or detracting from the [obligations] [rights and obligations] assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, and under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed at London, Moscow and Washington on 10 April 1972.

Each Party to this Convention that is also Party to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, affirms that the obligation set forth in paragraph 3 of article I supplements its obligations under the Protocol.

or/and

3. This Convention shall not affect the rights and obligations of States Parties which arise from other agreements compatible with this Convention.

- or alternatively -

None of the provisions of this Convention shall suspend or modify the commitments undertaken by States Parties pursuant to other international instruments related to this Convention.

Article XIII: Amendments

Commentary

(a) There is a common understanding by the delegations that any State Party may, in accordance with the agreed procedure, propose amendments to this Convention.

(b) Views were expressed that certain basic provisions should not be subject to amendments. Article I, article IV, paragraph 5 (a) and article V, paragraph 8 (a) were mentioned in this respect.

(c) According to the majority of the views expressed, a differentiated amendment mechanism is required to meet the special needs of various provisions of the Convention. It is understood that this article might be limited to general amendment procedures which would be applied unless otherwise provided in relevant parts of the Convention. It is to be further discussed which provisions should be subject to strict amendment procedure and which might be amended in a simplified way.

(d) Views were expressed that, regardless of the type of procedure to be followed for the adoption of amendments, they shall enter into force for all States Parties at the same time; another view is based on the premise that ratification or acceptance by a State Party is required for an amendment to enter into force in regard to this State.

Possible wording for article XIII

1. Any State Party may, in accordance with the agreed procedure, propose amendments to this Convention.

2. (a) Amendments may be made to any provision of this Convention.

- or alternatively -

2. (a) No amendments may be made to the following provisions of this Convention: article I, article IV, paragraph 5 (a), Article V, paragraph 8 (a) ...

(b) The provisions contained in [...] 1/ may be amendment by unanimous agreement of States Parties.

(c) Provisions not mentioned in paragraph 2 (b) may be amended by majority of [...].

(d) Provisions not mentioned in paragraphs 2 (b) and 2 (c) may be amended by simple majority.

1/ It is understood that such provisions should be enumerated.

3. (a) The text of any proposed amendment shall be communicated to the [Depositary] [Director-General of the Technical Secretariat] not less than ... [days, months] prior to a regular session of the [General Conference] [Consultative Committee] and shall be promptly communicated by him to all States Parties.

(b) Proposed amendments shall be dicussed at the nearest regular session of the [General Conference] [Consultative Committee] and may be adopted at its next regular session. This does not preclude the [General Conference] [Consultative Committee] from taking a decision, by a two-thirds majority of the States Parties present and voting, to convene a special session to discuss and adopt the proposed amendments. 1/

4. Adopted amendments shall be subject to acceptance [ratification] by States Parties according to their constitutional processes and shall enter into force for all States Parties upon the deposit of instruments of acceptance [ratification] with the Depositary by:

(a) all States Parties as regards amendments to the provisions listed in paragraph 2 (b) above,

(b) a [qualified] majority of States Parties as regards amendments to provisions not mentioned in paragraph 2 (b) above,

(c) a simple majority of States Parties, as regards other provisions,

(d) original States Parties

- or as an alternative to paragraphs 3 (b) and 4 above -

Amendments shall enter into force for Parties ratifying or acceding to them on the thirtieth day following the deposit of instruments of ratification of accession by a majority of the Parties to the Convention and thereafter for each remaining Party on the thirtieth day following the deposit of its instrument of ratification or accession.

5. The provisions of this article do not affect the special amendment procedures provided for in relevant parts of this Convention.

1/ It is to be discussed whether sessions of the General Conference or Review Conferences are appropriate forums in which to consider amendments to the Convention.

Article XIV: Duration, Withdrawal

Commentary

There seems to be a common understanding that this Convention should be of unlimited duration.

A wide range of opinions was expressed in regard to possible withdrawal of States Parties from the Convention and the procedures thereof.

(a) Views were expressed that the right of withdrawal should not be provided.

(b) Some delegations supported the idea that the right of withdrawal should not be exercised within a fixed, comparatively long period of time.

(c) Several delegations held the view that the withdrawal should depend on certain extraordinary circumstances. In the opinion of some delegations such circumstances might be differentiated according to their urgency and consequently different periods for withdrawal be granted. 1/ In this context a view was expressed that the Organization should be notified of the intention to withdraw and take appropriate steps within its competence to remedy the situation and prevent such a withdrawal.

(d) The opposite view was based on the premise that the right of withdrawal should be granted and be exercised in a very short period of time with few formalities, if any.

(e) The view was expressed that there should be no reference to the right of withdrawal in the CW Convention.

(f) One delegation proposed that this article should deal only with the question of duration, which would depend on the destruction of all chemical weapons by States Parties.

Possible wording for Article XIV

1. This Convention should be of unlimited duration.

2. (a) States Parties shall not withdraw from this Convention;

- or alternatively -

(b) States Parties shall not withdraw from this Convention within the period of destruction of chemical weapons and chemical weapons production facilities;

- or alternatively -

1/ No specific suggestions in regard of the said periods have been made.

(c) States Parties shall not withdraw from this Convention within ... (other agreed period of time);

- or alternatively -

(d) Any State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention if, in the opinion of the withdrawing State there have arisen extraordinary circumstances connected with the content of this Convention which affect its supreme interests;

- or alternatively -

(e) Any State Party may withdraw from this Convention at any time;

- or alternatively -

(f) None.

3. (a) In exercising their right of withdrawal subject to paragraph 2 (b), (c), (d), (e), (f) above, States Parties shall give notice to the Depositary, the Security Council of the United Nations and the Executive Council of the Organization. Such notice shall include a statement of the reasons for the decision to withdraw.

(b) The Executive Council of the Organization shall promptly investigate and assess the reasons for the decision to withdraw and take appropriate measures within its competence to remedy the situation, including, inter alia, convening of a special session of the [General Conference] [Consultative Committee]. 1/

4. The withdrawal shall take effect ... [agreed period(s) of time] after the deposit of the notification by the State Party concerned. 2/

- or, as an alternative to paragraphs 3 and 4 above -

In exercising its right of withdrawal subject to paragraph 2 (d) above, a State Party shall give notice to all other Parties to the Convention, to the Depositary, and to the Security Council of the United Nations three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

1/ It is to be discussed whether special provisions regarding the competence of the Executive Council and General Conference in cases of purported withdrawal are needed and if so, what would be their content and place in the Convention.

2/ The question of possibly setting several periods for the purpose of different circumstances relating to withdrawal, instead of a single period, requires further consideration.

5. (a) The withdrawal of a State Party from this Convention shall in no way affect the duty of [States Parties] [this State Party] to continue fulfilling the obligations assumed under any relevant rule of international law, particularly the Geneva Protocol of 17 June 1925. 1/

(b) A State Party shall not, by reason of its withdrawal from this Convention, be discharged from its financial [and] [or such] other obligations (not being incompatible with the supreme interests which induced it to withdraw) which accrued while it was a Party to the Convention.

- or, as an alternative to paragraphs 2-5 above -

Every Party to this Convention shall, in exercising its national sovereignty, have the right to withdraw from the Convention if it decides that extraordinary events, related to the subject-matter of the Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention, to the Depositary, and to the Security Council of the United Nations three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

- or alternatively -

Article XIV: Duration

This Convention shall be of a permanent nature and shall remain in force indefinitely, but obligations deriving from the provisions of this Convention will cease, if after 90 days of the end of the period of destruction as stipulated in Article [...], the [General Conference] is not in a position to declare that all chemical weapons have been destroyed and are subsequently banned from all States Parties.

1/ Views were expressed that this provision would not be necessary.

Article XV: Signature, ratification, accession, entry into force

Commentary

There seems to be an understanding that:

1. (a) The Convention shall be open for signature to all States and shall be ratified by signatories;

(b) Non-signatory States shall be entitled to accede to the Convention;

(c) Provisions on the entry into force shall ensure the widest possible adherence of States to the Convention.

2. The preference was expressed for the number of 60 ratifications for the Convention to enter into force.

Note:

In the course of consultations on this article the status of Annexes to the Convention, as well as of the provisions on reservations have been raised.

1. It is to be further discussed whether a separate article on the status of Annexes is needed.

Possible wording for the provision on the status of Annexes

"Annexes Nos. ... form an integral part of this Convention".

2. Several delegations held the view that neither reservations nor exceptions to the Convention should be provided, while some expressed views that such right might be included with respect to some provisions which were not clearly indicated.

The view was expressed that in regard to reservations, due attention should be paid to interpretative statements.

It is to be discussed whether to place the provision on reservations within the framework of Article XV or to elaborate a separate article for this purpose.

Possible wording for the provisions on reservations

1. No reservations or exceptions, however phrased or named, [including interpretative statements or declarations], may be made to this Convention [unless expressly permitted by other provisions of the Convention].

2. The provision in paragraph 1 above does not preclude a State when signing, ratifying or acceding to this Convention, from making statements or declarations, however phrased or named, provided that such statements or

declarations do not purport to exclude or to modify the legal effect of the provisions of this Convention in their application to that State.

- or alternatively -

This Convention shall not be subject to reservations.

Possible wording for Article XV:

1. Signature.

This Convention shall be open for signature to all States until [its entry into force] [date] [indefinitely] at (venue).

2. Ratification.

This Convention [and its Annexes, which form an integral part thereof] 1/ shall be subject to ratification by signatories according to their constitutional processes.

3. Accession.

Any State which does not sign the Convention [before its entry into force] [date] may accede to it at any time. 2/

4. Deposit of instruments of ratification or accession.

Instruments of ratification and instruments of accession shall be deposited with the [Depositary] [Secretary-General of the United Nations, hereby designated as the Depositary].

5. Entry into force.

(a) This Convention shall enter into force [... days after the date of] [upon] the deposit of the [60th] [40th] instrument of ratification [or accession];

(b) For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Convention, it shall enter into force on the [...th day following the] date of the deposit of their instruments of ratification or accession. 3/

1/ See paragraph 1 in the Note above.

2/ One delegation expressed a view that accession would not be necessary.

3/ It is to be discussed further how to ensure that all "chemical weapons possessing" and "chemical weapons capable" States be among those States whose ratification would be required for the Convention to enter into force.

Article XVI: Languages, authentic texts, depositary, registration

Commentary

(a) There is a general agreement that the Secretary-General of the United Nations should be designated as the Depositary.

(b) The view was expressed that all functions of the Depositary should be dealt with in one place.

(c) It is also to be further discussed whether to place relevant provisions within the framework of Article XV, XVI or a separate article might be needed.

(d) Provisions for languages, authentic texts and registration as given below, were not objected.

Possible wording for Article XVI

1. This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations hereby designated as the Depositary, who shall send duly certified copies thereof to the Governments of all signatory and acceding States.

2. The Depositary shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or accession and the date of entry into force of the Convention and of amendments thereto [any notice of withdrawal and of the date when the latter takes effect], [and of the notification specified in Article XIV, para.3]. 1/

3. This Convention shall be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.

Done at ...

- or alternatively -

Article XVI: Depositary, Registration

1. Depositary 1/

(a) The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention and shall:

(1) notify all signatory and acceding States of;

(a) the date of each signature, and the date of deposit of each instrument of ratification or accession;

1/ It is to be discussed if other functions might be entrusted to the Depositary with regard to the special needs of the Convention.

(b) (i) any amendment to this Convention proposed by any State Party to the Convention;

(ii) any amendment adopted;

(iii) the date of entry into force of any amendment;

(2) transmit duly certified copies of this Convention to the Governments of all signatory and acceding States.

2. Registration.

This Convention shall be registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.

Article XVII: Languages, Authentic Texts

The original of the Convention with its Annexes, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Convention.

Done at ...

The questions of the settlement of disputes not related to compliance issues, as well as the placement of the provision for review conferences, were also raised but have not yet been discussed.

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APPENDIX III

Security during the destruction period:
material relevant to the issue.

A. Material from the 1988 session

- CD/CW/WP.199
- CD/822
- CD/CW/WP.182
- CD/CW/WP.211

CONFERENCE ON DISARMAMENT

CD/CW/WP.199
7 April 1988

ENGLISH
Original: FRENCH

Ad Hoc Committee on Chemical Weapons

FRANCE

Working paper

Security stocks: proposed amendments

The following proposals, to be inserted in the "rolling text" of the draft convention (CD/795), follow the existing pattern of this text. The general prohibition of chemical weapons remains the rule, security stocks constituting one element in the transitional 10-year régime corresponding to the first phase of implementation of the Convention. They represent an option which each State party to the future agreement will be free to endorse.

*

ARTICLE I. GENERAL PROVISIONS ON SCOPE

Add a paragraph 7:

"These provisions shall not affect the specific, transitional rules relating to the security stock."

*

ANNEX TO ARTICLE I. PROVISIONS RELATING TO THE SECURITY STOCK

1. Objectives

The States Parties recognize the need for each of them to ensure its security during the transitional phase of destruction of stocks of chemical weapons.

To this end,

(1) Each country, if it so desires, may, during the first eight years after the entry into force of the Convention, hold under international control a limited stock of chemical weapons known in the text of the present Convention as a "security stock".

(2) This security stock shall be destroyed under international control not later than during the ninth or tenth year after the entry into force of the Convention, the commitment to such destruction being made by each

State Party at the time of signature. Any production facility assigned to the security stock under the terms of article 2, paragraph 3, and article 4 of the present annex shall be destroyed not later than in the ninth year following the Convention's entry into force.

(3) The verification régime applicable to this stock shall be identical with that for other stocks remaining after the Convention's entry into force. This stock shall be subject, in the same conditions, to the inspection-on-challenge procedure if one of the parties considers it has grounds for believing that a State has violated the provisions of the Convention relating to security stocks.

2. General rules relating to the security stock

(1) Toxic chemicals of unitary munitions forming part of the security stock and, if necessary, one of the two constituent components of binary variants shall be entered in Schedule [1] of the annex to article VI of the Convention.

The security stock shall be composed exclusively of munitions. It may not exceed a volume of 2,000 metric tonnes of toxic chemicals. In the case of binary munitions, this volume shall relate to the toxic chemical generated by the munitions and not to their constituent reagents.

(2) The number of storage places shall be limited to a maximum of ... sites.

(3) The establishment and maintenance of this stock may be ensured only by a single production facility comprising, as needed, the means of:

Manufacturing the chemical and toxic agents listed in Schedule [1] of the annex to article VI of the Convention; and

Loading and maintaining the munitions.

(4) This single facility shall be declared in accordance with the provisions of section I.A of the annex to article V and placed under international control, in accordance with the procedures defined in article 4 of the present annex.

(5) The establishment, where necessary, of the production facility once the Convention has entered into force shall be effected under international control.

(6) This facility may be different from the small-scale production facility authorized under article VI of the Convention for research, medical or protective purposes.

3. Declaration of stocks

The declaration of the security stock shall be separate from that of other stocks as provided for in the annex to article III and in section I of the annex to article IV. It shall be deposited with the Executive Council within 30 days following the accession of the signatory country and shall be updated every year during the 10 years following the Convention's entry into force.

It shall comprise the total volume of the stock and the detailed composition thereof, on the same terms as declarations of stocks under the general régime, and the choice of the acceding country as between the following three options:

Option No. 1 - One or more declared places of storage:

The declaration of the security stock shall in this case include this place or these places or storage.

Any transfer of all or part of the security stock shall be subject to supervision by the Technical Secretariat.

Option No. 2 - A single undeclared place of storage:

A sealed envelope specifying the location of the security stock shall immediately be deposited with the Technical Secretariat.

In the event of formal notice being given, the following procedure may be put into effect:

Either the suspicion of violation of the provisions of the Convention relates to a location where the requested State denies that its stock is situated, in which case the envelope shall not be opened but the requesting State shall be free to request an on-site inspection in the inspection-on-challenge conditions;

Or the requested State acknowledges that the location giving rise to suspicion of violation is the place where its stock is situated, in which case, if the requesting State declares itself dissatisfied with this initial response, the envelope shall be opened as of right. If the requesting State still considers itself dissatisfied, it may request an on-site inspection in the inspection-on-challenge conditions.

Option No. 3 - Two or more undeclared places of storage (up to a maximum limit of ... locations):

In this case, the State party shall deposit with the Technical Secretariat a sealed envelope for each place of storage specifying the characteristics (composition, volume) of the stock situated in that place.

In the event of formal notice being given, the following procedure may be put into effect:

Either the suspicion of violation of the provisions of the Convention relates to a location where the requested State denies that a part of its stock is situated, in which case the envelope shall not be opened but the requesting State shall be free to request an on-site inspection in the inspection-on-challenge conditions;

Or the requested State acknowledges that the location giving rise to suspicion of violation is the place where a part of its stock is situated, in which case, if the requesting State declares itself dissatisfied with this initial response, the corresponding envelope shall be opened as of right. If the requesting State still considers itself dissatisfied, it may request an on-site inspection in the inspection-on-challenge conditions.

After the opening of the envelope (option No. 2) or of one of the envelopes (option No. 3), every State shall have the possibility of transferring the corresponding stock to another undeclared place. A further sealed envelope shall in that case be previously forwarded to the Technical Secretariat.

4. Declaration and procedures for monitoring the production facility assignable to the security stock

The single production facility assigned to the security stock, as defined in article 2, paragraph 3, of the present annex, shall be placed under international control on the same basis as other facilities declared under the Convention, apart from placing under seal.

All manufacturing operations involving products in Schedule [1] of the annex to article VI of the Convention undertaken in the single production facility shall be reserved for the establishment or maintenance of the security stock and shall be effected under international control.

5. Destruction of security stocks

Any country which wishes to eliminate its security stock sooner than under the provisions of the third paragraph of the present article may do so by declaring, if it has not already done so, its site or sites and by forwarding an estimated destruction schedule to the Technical Secretariat. The general régime for the destruction of the security stock and the related single production facility shall in that case apply.

In the case of States which have chosen option No. 2 or option No. 3 as described in paragraph 3 of the present annex, the envelopes shall be opened at the end of the eighth year following the Convention's entry into force. In all cases (options Nos. 1, 2 and 3), the storage facilities shall at the end of the eighth year be transferred to international control, in accordance with the procedures provided for in the case of stocks under the general régime in article IV of the Convention.

The security stock shall be transported to the destruction site or sites and half of it shall be destroyed in the ninth and tenth years, in accordance with a detailed plan transmitted by the possessor State to the Technical Secretariat.

6. Destruction of the production facility assignable to the security stock

Any country which wishes to destroy the single production facility before the ninth year following the Convention's entry into force may do so after having forwarded to the Technical Secretariat the estimated schedule for such destruction.

In any event, the destruction of this facility shall be effected not later than the end of the ninth year following the Convention's entry into force.

7. Updating or renewal of the security stock

(1) The States Parties to the Convention undertake to destroy munitions from the security stock, and to manufacture new munitions intended for that stock, under international control, in the following conditions:

They undertake to prepare a detailed declaration of the elements in the security stock which are considered obsolete, to effect - under national responsibility - the transfer of those elements to a destruction facility, to forward a destruction schedule to the Technical Secretariat, and to carry out such destruction under international control;

The production of new munitions, which may be different from the munitions destroyed, shall be effected under international control in the single production facility reserved for this purpose, within the limit of the authorized tonnage for toxic chemicals.

(2) In the event of the updating of the security stock, the declaration (option No. 1) or the contents of the envelopes (options Nos. 2 and 3) shall be updated within three months following commencement of this operation.

*

ARTICLE III. DECLARATIONS

Amend paragraph 1 (c) (Other declarations) to read:

"The precise location ... of any facility, with the exception of the production facility assigned to the security stock, as defined in the annex to article I, ...".

*

CD/CW/WP.199
page 6

ARTICLE IV. CHEMICAL WEAPONS

Amend paragraph 1 to read:

"The provisions of this article and its annex shall apply, without exception other than the rules relating to the security stock as defined in the annex to article I, to any and all chemical weapons ...".

*

ARTICLE V. CHEMICAL WEAPONS PRODUCTION FACILITIES

Amend paragraph 1 to read:

"The provisions of this article shall apply to any and all chemical weapons production facilities, except the production facility assigned to the security stock in accordance with the terms of the annex to article I, under the jurisdiction or control ...".

Delete paragraph 3.

*

ARTICLE IX. CONSULTATIONS, CO-OPERATION AND FACT-FINDING

Add the following sentence to paragraph 1:

"The specific procedures of the inspection-on-challenge régime applicable to security stocks shall be those of paragraph 3 of the annex to article I."

CONFERENCE ON DISARMAMENT

CD/822
CD/CW/WP.197
29 March 1988

Original: ENGLISH

FEDERAL REPUBLIC OF GERMANY AND ITALY

Working Paper

The order of destruction of chemical weapons

1. Over the past few years the issue of order of destruction of chemical weapons has been paid a lot of attention in the negotiations on a global ban on chemical weapons. A number of working papers were devoted to this subject. 1/ The issue has also been subject to intensive consultations by the Chairman of the Ad hoc Committee on Chemical Weapons, the result of which is reflected in the Chairman's paper included in Appendix II, pages 92 and 93 of CD/795 of 2 February 1988.

2. As is already stated in the Annex to Article IV, Section IV, paragraph 1 of the rolling text (CD/795, page 41) the elaboration of the order of destruction shall be built on the following considerations:

- undiminished security for all States during the entire destruction stage;

- confidence-building in the early part of the destruction stage;

- gradual acquisition of experience in the course of destroying chemical weapons stocks;

- applicability, irrespective of the actual composition of the stockpiles and the method chosen for the destruction of the chemical weapons.

Among these points, the principle of maintaining undiminished security for all States during the entire destruction stage is of paramount importance. It is the basic yardstick for assessing proposed solutions to the question of the order of destruction of chemical weapons.

Recently, attention has even more focused on the maintenance of undiminished security during the envisaged 10-year destruction phase due to the different sizes of the chemical weapon stocks existing at the start of the 10-year destruction phase.

3. In an effort to meet the concerns expressed with regard to maintaining security during the 10-year destruction phase, also in view of existing disparities in chemical weapon arsenals, the following approach is suggested:

I. In accordance with Article I, paragraph 1, and Article V, paragraphs 2 and 3 the production of chemical weapons shall cease immediately upon entry into force of the Convention.

II. In accordance with Article IV, paragraph 8 and Article V, paragraph 10, as well as the relevant parts of the Annexes to these Articles, all chemical weapons storage sites as well as all chemical weapons production facilities shall be subjected to systematic international on-site verification.

III. For the purpose of destruction, the categorization developed in the Chairman's paper in Appendix II of CD/795 shall apply. Within each of the three categories a States Party shall determine on its own its detailed plans for each annual period of the destruction process.

IV. In a first phase the States Parties possessing the largest stocks of chemical weapons shall proceed with the destruction of their CW stocks until an agreed level is reached.

For the practical implementation of this basic undertaking the following provisions shall apply:

- for the purpose of the Convention States Parties with large stocks shall be considered to be those States Parties which possess more than [...] tons of chemical weapons agents regardless of whether these agents are in bulk or filled in munitions or other devices;

- the initial reduction period devoted to the reduction of the chemical weapon stocks of the States Parties with large stocks shall comprise [five] years from the entry into force of the Convention;

- the reduction in the existing large stocks shall start not later than one year after the entry into force of the Convention;

- at the end of this [five] year period equal levels with regard to the remaining [...] tons of chemical weapon agents shall be achieved by all States Parties with large stocks;

- without prejudice to the actual start in the reductions the five annual reduction amounts shall be calculated according to the following formula:

$$X = \frac{A1 - A2}{5} \quad 2/$$

- States Parties with large stocks shall submit during this first phase annual reports on the reduction of their respective stockpiles to the Technical Secretariat.

V. After the "levelling out" of the large stocks at [...] tons at the end of the fifth year after the entry into force of the Convention a review on the results achieved so far and the experiences gained during the first years with the destruction of chemical weapons and its verification will be carried out during a Special Session of the General Conference of the Organization. The Executive Council will make the necessary preparations for this meeting with the help of the Technical Secretariat.

VI. After the levelling-out phase of the largest stockpiles has been concluded the destruction process will enter into its second phase. During this phase which lasts from the end of the fifth year until the end of the tenth year all States Parties possessing chemical weapons, and regardless of the size of the respective chemical weapons stocks, are required to destroy their chemical weapons. The destruction would be carried out in a linear fashion, i.e. the existing stockpile for each CW-possessor State would be subdivided into five equal reduction amounts to be destroyed during the remaining five years of the destruction period. In the process use could be made of the three categories mentioned above under paragraph 3, III. In this way all existing stockpiles shall be eliminated at the end of the tenth year of the destruction process.

Notes

1/ CD/697 of 20 May 1986;
CD/CW/WP.162 of 7 April 1987;
CD/CW/WP.169 of 15 June 1987;
CD/CW/WP.182 of 15 January 1988.

2/ X = annual reduction amount;
A1 = declared total stock of chemical weapons (Article. IV, para.2);
A2 = ... tons; (residual stock after initial five years reduction period for large stocks);
5 = five years in which residual equal levels of stocks are to be reached.

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CONFERENCE ON DISARMAMENT

CD/CW/WP.182
15 January 1988

ENGLISH
Original: RUSSIAN

Ad hoc Committee on
Chemical Weapons

MONGOLIA

Working Paper

The order of destruction of chemical weapons stocks

The destruction of chemical weapons is one of the main objectives of the multilateral Convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

Accordingly, this issue is being given priority attention in the negotiations.

In its working paper CD/CW/WP.162 of 7 April 1987, the delegation of Mongolia submitted proposals aimed at finding a mutually acceptable solution. Taking into account the progress achieved in this regard in the negotiations, it now submits for discussion a further elaboration of its proposals.

In the efforts to reach the goal of the final elimination of chemical weapons provision must be made for the complete destruction of stocks and the prohibition of the development, production and stockpiling of such weapons. At the same time, a principle as important as that of undiminished security for all States must be strictly observed during the entire period of destruction.

For that reason it is very important to devise principles and an order for the destruction of chemical weapons that will simultaneously meet all these requirements.

Many important issues related to the destruction of the stockpiles of these weapons have already been agreed upon in the negotiations. The Ad hoc Committee on Chemical Weapons is to complete in the near future the work on the order of destruction of CW stocks. Certain prerequisites have already been created for that. It should be especially emphasized that there is

general agreement, which is reflected in the draft Convention, regarding the destruction of all CW stocks by the end of the tenth year after the Convention enters into force and, as regards the fulfilment of that objective, it has been considered appropriate to divide all CW stocks into categories and to compare chemicals within categories by weight.

Taking into account the discussions at the negotiations, it seems possible to concretize the proposal by establishing the following categories of CW stocks:

Category I - chemical weapons based on Schedule [I] chemicals;

Category II - chemical weapons based on any other chemicals;

Category III - unfilled munitions and devices and equipment, specifically designed for employment in connection with the use of chemical weapons.

Such a grouping and the possibility of comparing chemicals by weight would give States parties to the Convention which possess chemical weapons a certain freedom with respect to the order of destruction of the various types of these weapons.

Security during the period of destruction of stocks should be based on, above all, the immediate cessation of CW production in compliance with the basic obligations under the Convention, the declaration by States parties possessing chemical weapons not later than 30 days after the Convention enters into force for them of the size and location of all CW stocks, the verification of the credibility of such declarations, and the placing of the stocks under systematic international control precluding any covert activity in their regard. That would create complete transparency regarding the stocks and confidence concerning the prevention of any action detrimental to the security of any of the States parties to the Convention.

Moreover, such completeness of information on CW stocks right from the Convention's entry into force would make it possible to work out and co-ordinate plans for the destruction of chemical weapons that took into account the principle of levelling-out, whereby, without prejudice to the principle of undiminished security for all States at all stages of destruction, States possessing chemical weapons would be left after the Convention had been in force for an agreed length of time with approximately equal quantities of such weapons, to be destroyed by the tenth year of operation of the Convention. These timeframes and the amounts of the remaining stocks are to be agreed upon in the course of the negotiations.

The declaration of stocks by the States participating in the negotiations at this stage would considerably further the solution of the problem of the order of destruction of CW stocks.

CONFERENCE ON DISARMAMENT

CD/CW/WP.211
12 September 1988

ENGLISH
Original: RUSSIAN

Ad hoc Committee on Chemical Weapons

USSR

Working paper

Assessment of the proposal by France concerning "security stocks"

1. The USSR proceeds from the premise that the order of destruction must be based on the principle of undiminished security of States during the entire destruction process, as has already been agreed in the "rolling text". However, the French proposal concerning "security stocks", while proclaiming the same principle, does not in fact have the result of ensuring security.

2. The French proposal provides that the States parties to the convention will have the right to retain production capacities and manufacture chemical weapons, and also acquire such weapons, for at least eight years and possibly longer after the convention enters into force. Moreover, this right would be granted not only to States possessing chemical weapons, but also to those without them. As a result, States possessing chemical weapons could renew their stocks (within the limits of the "security stock"), while those without could establish such "security stocks". This constitutes in essence a call for the legalized build-up and proliferation of chemical weapons. This approach leads not to equal security but to increasing equal insecurity.

The security of the parties to the convention can be ensured immediately after its entry into force through the implementation of a number of measures which would safely freeze stocks at current levels until they are destroyed, and would rule out preparations for their use as well as actual use. This would involve, first and foremost, the declaration of all existing stocks, their placing under systematic international control with the help of on-site inspections and continuous monitoring with instruments, and the adoption of measures to ensure that the chemical weapons are not removed from the store

except to a destruction facility. Provisions to this effect are contained in paragraphs 2 and 3 of article IV of the "rolling text". Moreover, the removal of chemical weapons from a store to a destruction facility must be conducted under international control. This provision, contained in the annex to article IV, section II, paragraph 6(b), has been agreed upon by all participants in the negotiations.

The implementation of these measures, which in essence would amount to the placing of chemical weapon stocks under "international arrest", would place all participants on an equal footing in terms of their security.

3. The authors of the proposal under consideration consider that the security of all States parties may be called into question either gradually (e.g. as a result of delays in the timetable for the destruction of the stockpiles as a result of material difficulties) or suddenly (e.g. the exit from the convention of one of the States parties or its refusal to continue with the elimination of the remaining stocks). Theoretically such situations may arise. However, the response to them should be different from that suggested by the authors of the proposal.

If a State begins to experience material or technical difficulties in the process of destroying its stocks, it should be granted assistance in order to ensure compliance with the schedule of destruction. It is another matter when a State refuses to continue destroying its stocks. This is a flagrant violation of the convention, with all the consequences that follow. This problem should be solved by creating an effective mechanism which would ensure compliance with the convention.

4. The French proposal does not solve the problem of preventing an exceptional situation connected with the possible withdrawal of a chemical-weapon State party from the convention and the unfreezing of its stocks. The paradox of the French proposal lies in the fact that, while calling for equal security for States parties to the convention, it may objectively increase the likelihood that such an exceptional situation will arise, in so far as the number of countries possessing chemical weapons will grow after the convention enters into force. It is one thing when all chemical weapon production facilities are closed and secured, and another when even one such facility remains. It will be an easy and rapid task to exceed the limits of "security stocks" by using this facility and its infrastructure. In this way the dangerous consequences of a State's withdrawal from the convention will also increase, since it will possess not only reactivated stocks but also the capability for effecting their rapid build-up, renewal and upgrading.

5. The convention should eliminate the real difference between chemical-weapon and non-chemical-weapon States, and should do so immediately after it enters into force. The French proposal, however, is based on the premise that the status quo existing before the convention enters into force can be changed to the advantage of those States that do not possess chemical weapons or would like to increase their stocks.

The French proposal runs counter to the essence and spirit of the convention. A scheme for the legitimizing of chemical weapons industries - and the most dangerous aspects of them - is placed in opposition to the concept of consistent elimination of chemical weapons and the facilities for their production. The French proposal would also seriously complicate monitoring of chemical weapon stocks. As a result, not only will there not be an increase in confidence among the parties to the convention, but new sources of concern will appear which may divide the States that have signed the convention. This cannot either ensure security for the parties to the convention, or encourage them to accede to it on a large scale.

B. List of other relevant documents from previous sessions

- CD/CW/WP.162
- CD/CW/WP.130
- CD/697
- CD/CW/WP.169
- CD/PV.418